

City of San Diego Office of the City Clerk 202 C Street Second Floor San Diego, CA 92101 (619) 533-4000

Recommendations

Community Planning Group/ Staff's/Planning Commission

Desirat Manager must assemble the following information for the Council desirate				
Project Manager must complete the following information for the Council docket:				
CASE NUMBER: Sycamore Landfill Master Plan – Project No. 5617				
Staff's:				
Please indicate the recommended action for each item (i.e. Resolution/Ordinance):				
1. CERTIFICATION of Environmental Impact Report (EIR) No. 5617, SCH No. 2003041057; adoption of the Mitigation, Monitoring and Reporting Program (MMRP); and adoption of				
Candidate Findings and Statement of Overriding Considerations;				
2. APPROVE the East Elliot Community Plan and General Plan Amendment No. 9917;				
3. ADOPT Rezone No. 534712;				
4. APPROVE, Public Right of Way Vacations No. 534709 and Easement Vacations No. 534708 on				
Parcel Map No. 534711; Right of Way Vacation No. 534709 on a Portion of Map No. 1703; Site				
Development Permit No. 9310 and Planned Development Permit No. 9309 to amend Prior Permit				
No. 40-0765; and				
5. CONVEY the Vacated Access Road Easement to the applicant.				
Planning Commission:				
(List names of Commissioners voting yea or nay)				
YEAS: Shultz, Golba, Otsuji, Ontai				
NAYS:				
ABSENT: Nasland, Griswold, Smiley				
Recommended Action: To deny Staff Recommendations with the knowledge that the Planning Commission				
voted in that manner to send the project on to Council for decision. An earlier vote to approve Staff				
Recommendations failed by a vote of 3-1-3				
Community Planning Group:				
Choose one:				
LIST NAME OF GROUP:				
No active officially recognized community planning group for this area.				
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By: <u>Jeannette Temple</u> Project Manager				
FTOJECT Wallager				

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THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED:

October15, 2008

REPORT NO. PC-08-063

ATTENTION:

Planning Commission, Agenda of October 23, 2008

SUBJECT:

SYCAMORE LANDFILL MASTER PLAN – PROJECT NO. 5617:

PROCESS 5

REFERENCE:

Planning Commission Resolution No. 3355 (Attachment 11)

OWNER/

ÀΡΡΙΙĊΑΝΤ:

Sycamore Landfill, Inc., Allied Waste North America, Inc. (Attachment

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SUMMARY

<u>Issue(s)</u>: Should the Planning Commission RECOMMEND to City Council approval of a request for the expansion of the Sycamore landfill's capacity and operations as well as the continuance of aggregate processing.

Staff Recommendation:

- Recommend City Council CERTIFICATION of Environmental Impact Report (EIR)
 No. 5617, SCH No. 2003041057; adoption of the Mitigation, Monitoring and
 Reporting Program (MMRP); and adoption of Candidate Findings and Statement of
 Overriding Considerations;
- 2. Recommend the City Council APPROVE the East Elliot Community Plan and General Plan Amendment No. 9917;
- 3. Recommend the City Council ADOPT Rezone No. 534712;
- 4. Recommend the City Council APPROVE, Public Right of Way Vacations No. 534709 and Easement Vacations No. 534708 on Parcel Map No. 534711; Right of Way Vacation No. 534709 on a Portion of Map No. 1703; Site Development Permit



No. 9310 and Planned Development Permit No. 9309 to amend Prior Permit No. 40-0765; and

Recommend the City Council CONVEY the Vacated Access Road Easement to the applicant.

<u>Community Planning Group Recommendation</u>: The project site is located in the East Elliot Community Plan area. There is no active Community Planning Group for this area.

Environmental Review: An Environmental Impact Report has been prepared for this project and a Mitigation, Monitoring and Reporting Program will be implemented to reduce the effects of the project to below a level of significance with the exception of significant, unmitigated impacts related to Landform Alteration/Visual Quality (direct and cumulative); Biological Resources (Native Grassland) (cumulative); Traffic and Circulation (cumulative); and Air Quality (direct and cumulative). Implementation of the proposed MMRP will reduce the following impacts to below a level of significance: Land Use (indirect); Landform Alteration/Visual Quality (direct); Biological Resources (direct and indirect); Traffic/Circulation (direct); Paleontology Resources (direct); Noise (direct and indirect); and Air Quality (direct). Even without mitigation, there will be no significant impacts to Hydrology, Geology/Soils, or Historical Resources.

<u>Fiscal Impact Statement</u>: None with this action. The costs associated with the processing of this project are covered by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: The project site is designated as Open Space and Office Commercial without a density yield. The East Elliott plan anticipates a maximum housing yield of 500 dwelling units; however, the anticipated residential development will occur in an area located to the east of the proposed landfill expansion. Therefore the proposed action will not add or subtract housing units from the San Diego housing market.

BACKGROUND

The Sycamore Landfill site currently consists of approximately 491 acres in the East Elliott Community Plan area and is located approximately one mile north of Highway 52 and approximately one mile west of the City of Santee, in Little Sycamore Canyon (Attachment 1 and 2). The East Elliott Community Plan, first adopted by the City in 1962, proposed a landfill at the Little Sycamore site (Attachment 3). Based on this land use designation in the Community Plan, a Conditional Use Permit (CUP) No. 6066 was issued by the City Planning Commission to the County of San Diego in November 1963 to construct and operate a sanitary landfill of 113 acres. In an amendment to the CUP in 1974, the Planning Commission approved an increase in the size

of the landfill site to 493 acres, based on a grading plan showing the intent to eventually fill the entire canyon with solid waste. Additional amendments to the CUP were made in 1976, 1981, 1984, and 1999. The City granted a Planned Development Permit/Site Development Permit (PDP/SDP) for the landfill in 2002, which permitted ancillary uses at the landfill site but did not change the landfill site boundaries. Also, in May 1986, the County of San Diego, at that time the owner and operator of the landfill, confirmed the City of San Diego Planning Department's evaluation that no amendment to the local land use permits was required for an increase in capacity allowed by proposed relocation of the existing transmission lines. The transmission lines were not, however, relocated at that time. These CUP amendments and PDP/SDP are included with this report as Attachment 14.

In October of 1997, the County of San Diego completed the sale of all of its solid waste facilities, including the Sycamore Landfill, to Allied Waste Industries (Allied). Allied is the parent company of Sycamore Landfill, Inc., applicant for the current project. A Planning Commission workshop was held in January of 1998 to review the history of the Sycamore Landfill and to identify the process and timeline for updating the land use permit for compliance with the Municipal Code and future expansion. A two-phase approach was recommended for amending the Conditional Use Permit (CUP). The first phase dealt with achieving short-term compliance with the CUP and City regulations, and committed the applicant to a schedule to undertake and complete Phase II, the Master Plan effort for the expansion and full development of the landfill. Phase I was completed in 2002 with the approval of PDP/SDP No. 40-0765 in 2002 (the mechanism changed from a CUP to a PDP/SDP because the Land Development Code does not provide for a CUP for a privately owned landfill). The Planned Development Permit Ordinance allows the regulation of development that is consistent with the site's land use designation in the applicable community plan. The current landfill site is designated as "Landfill" in the East Elliott Community Plan and the proposed Community Plan Amendment will expand the area designated to cover the proposed expansion; therefore, a PDP is the appropriate vehicle for this project.

In June of 1999, the City entered into a Facility Franchise Agreement with San Diego Landfill Systems, Inc. in accordance with Municipal Code Sections 66.0132 and 66.0133 as amended by Ordinance No. O-18429. Those code sections state, in essence, that it is unlawful for a private entity to own or operate a solid waste facility in the City unless the City, at its sole option, has either granted a non-exclusive franchise to the entity or has entered into a contract with such entity to own or operate a solid waste facility. The Planning Commission's 1998 recommendations for the two-phase plan discussed above was included in the Facility Franchise Agreement, which acknowledged the need for Sycamore Landfill to make short-term permit modifications as well as the need for the City and Sycamore Landfill to make "best efforts" to complete a Master Plan to permit the full development of Sycamore Landfill. The proposed project represents Allied's proposed Phase II, long-term permit modification to expand consistent with the 1998 Planning Commission direction. Nothing in this Master Plan relieves the landfill of its obligations to provide long-term capacity for municipal solid waste disposal as set forth in the Facility Franchise Agreement.

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The landfill site contains environmentally sensitive lands, including sensitive biological resources, and steep slopes. The existing landfill operates in accordance with a Staged Development Plan, Planned Development Permit/Site Development Permit No. 40-0765 and Conditional Use Permit No. 6066, as amended, as well as a Solid Waste Facilities Permit from the City of San Diego's Local Enforcement Agency (LEA), with concurrence from the California Integrated Waste Management Board (CIWMB), and numerous related permits. The most recent Solid Waste Facility Permit (SWFP) revision, in 2006, allowed an increase of daily tonnage to 3,965 tons per day (MSW) and adjusted the remaining disposal capacity under the permitted plan to 48 million cubic yards. The capacity adjustment was a result of CIWMB revisions in the methodology used to calculate capacity as well as more efficient compaction practices by the landfill operator.

On February 20, 2003, by Resolution No. 3355-PC, the Planning Commission approved the applicant's request to initiate an amendment to the East Elliott Community Plan and the General Plan to redesignate approximately 114 acres from Open Space and Office Commercial to Landfill, to accommodate the proposed Sycamore Landfill Master Plan (Attachment 11). As part of that approval, the Planning Commission requested that the City analyze certain issues as part of its consideration of the amendment, including potential noise, dust, lighting and odor impacts on the Multi-Habitat Planning Area (MHPA), on existing residential development east and south of the landfill, and on potential development surrounding the landfill; impacts to the MHPA open space system; potential truck traffic impacts on surrounding streets and land uses; potential visual impacts, particularly from Mission Trails Regional Park south of SR-52; potential ground water and runoff impacts; the potential need for any further plan amendments to accommodate landfill needs; impacts that may remain after the landfill is closed, including aesthetic impacts; the loss of potential office use by converting the Office-Commercial designated property consisting of Caltrans right-of-way to landfill use; the extent to which the grading blends with the existing topography; and the possibility of removing from the plan map and text the "Potential Landfill" designation off-site and to the west of the existing landfill.

The amount of acreage to be redesignated has been significantly reduced since the time of the Community Plan Amendment Initiation, from approximately 114 to approximately 26 acres. Only four of the 26 acres to be redesignated currently are "Office Commercial" with the remainder designated as "Open Space." Of the approximately 26 acres to be redesignated, almost 14 acres are for ancillary facilities use, including the existing access road; 2.4 acres are for a buffer south of the administration offices; less than five acres are for a construction buffer adjacent to the landfilling area; and approximately five acres are for actual waste disposal. All of the land to be redesignated is adjacent to the existing landfill.

DISCUSSION

Project Description:

The proposed project is referred to as the Sycamore Landfill Master Plan. It requires an amendment to the East Elliot Community Plan and General Plan to redesignate approximately 26 acres from Open Space (22 acres) and Office Commercial (4 acres) to Landfill. The project also will rezone the landfill site from AR-1-2 and RS-1-8 (residential single-family) to IH-2-1 (heavy industrial); vacate both numbered and unnumbered easements; vacate road easements acquired from Caltrans for the entrance road; and amend the landfill's existing Planned Development Permit/Site Development Permit to address the Master Plan (Attachments 6-13).

The purpose of the proposed Sycamore Landfill Master Plan is to allow the property, which is already approved for use as a solid waste disposal facility, to be developed in a way that more efficiently provides solid waste capacity. The project will extend the capacity of this necessary public facility, to the benefit of citizens and businesses of the City of San Diego and other communities in San Diego County. It will continue to utilize modern landfill design methods incorporating excavation to provide suitable base grades for liner construction. Planned excavation, combined with a proposed increased maximum height and area/extent of the landfill, will result in an estimated total capacity of approximately 157 million cubic yards (mcy) within a waste footprint of 358.2 acres.

The Master Plan requests that the area designated as "landfill" in the East Elliott Community Plan be increased by approximately 26 acres, bringing the total area of that plan designation to approximately 517 acres. The proposed maximum height of the proposed landfill is 1,050 feet above mean sea level (AMSL). The project also provides for an increase in daily tonnage from the current limit of 3,965 tons per day to 6,800 (MSW) tons per day through approximately 2010, increasing gradually until it reaches 13,000 tons per day in approximately 2025 and through estimated landfill closure, in 2028 or later. The timing of the daily tonnage increases depends primarily on the amount of municipal solid waste generated in the region requiring landfill disposal. If the region's generation of municipal solid waste increases slowly, the tonnage limits at the landfill will not occur until later than anticipated, and the life of the landfill will be longer. The requested increases in tonnage are proposed in order to accommodate anticipated regional growth. The proposed project also will accommodate the disposal needs resulting from closure of the City's Miramar Landfill, but will be necessary to serve regional waste disposal needs even if Miramar Landfill's life is extended. The project's increased daily waste acceptance will need to be subsequently approved in a new Solid Waste Facility Permit by the Local Enforcement Agency (LEA), with concurrence from the CIWMB.

To accommodate increased volumes of solid waste, and to reduce traffic congestion, operation up to 24 hours per day, seven days a week, is proposed. Other proposed project improvements include: 1) scale area relocation, 2) entrance landscaping, 3) administrative office relocation, 4) power line relocation, 5) a new public drop-off center and a relocated recycling center, 6)

maintenance facility, and 7) perimeter access road (Attachment 5). In addition, Sycamore Landfill will continue to 8) process green/wood materials for alternative daily cover and/or beneficial reuse (which helps the region meet its waste diversion goals), and 9) allow continued aggregate processing operations within its boundaries. The Master Plan also will allow Sycamore Landfill to 10) process construction and demolition (C&D) debris. In the future, 11) composting also may be initiated at the landfill, but composting is only analyzed on a programmatic level in the EIR, and will require additional environmental review at the time of project application. When implemented, the Master Plan development will extend the capacity of this resource for municipal solid waste management in the San Diego region by 86 mcy.

This project follows through on the City Council's approval of the Countywide Integrated Waste Management Plan Summary and Countywide Updated Siting Element (Siting Element) on April 5, 2005, via Resolutions R-300295 and R-300296 (Attachment 16). The City Council approved the Siting Element following SANDAG and the County of San Diego's review and approval. In accordance with state law, each city and county is required to develop long-term waste disposal plans that demonstrate that 15 years of Countywide or regional permitted solid waste disposal capacity is or will be available through existing or planned facilities. (Cal. Pub. Res. Code §§ 41700-41721.5 and 41750-41770). The Siting Element projected an exhaustion of disposal capacity for the region in about 2016, which was not adequate to demonstrate a 15-year disposal plan to the state. However, the region can demonstrate adequate capacity for at least 15 years through increasing waste diversion rates, the height increase of Miramar Landfill, the development of Gregory Canyon Landfill and the Master Plan expansion of Sycamore Landfill. Of these two capacity-enhancing projects, with approval of the Master Plan the Sycamore Landfill will now provide almost two-thirds of the new supply.

The Siting Element also demonstrated an adequate rate of acceptance capacity at the existing landfills under the SWFPs in place in 2005 would only exist through the year 2007. This forecast proved to be optimistic, as local landfills exceeded their daily waste acceptance limits in 2006, a year prior to that predicted in the Siting Element (Attachment 16). The under-estimation was due in part to the assumption in the Siting Element that the Master Plan for Sycamore Landfill would be approved and permitted in 2005, and that Gregory Canyon would be open in 2006, neither of which occurred. Due to the fact that the local landfills were beginning to exceed their tonnage limits in 2006, Sycamore Landfill requested and was approved for an administrative increase in daily waste acceptance limits within previously approved traffic limits from 3,300 tons per day (tpd) to 3,965 tpd (SWFP 37-AA-0023 Revision 9/15/06). The 2005 Siting Element anticipated approval of the proposed Sycamore Landfill Master Plan in 2005, with stepped increased daily acceptance caps. With these increases, the Siting Element demonstrated adequate daily rate of acceptance capacity through the year 2016. However, the Siting Element assumed that Gregory Canyon Landfill could open in 2006. Gregory Canyon has not yet opened; therefore, without any increased daily capacity at Sycamore, County daily acceptance rates would only be adequate through the year 2010. The applicant has provided updated CIWMP information that demonstrates an adequate daily rate of waste acceptance capacity at the existing landfills under the SWFPs in place through the year 2008. With approval

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of the proposed Master Plan, the updated information demonstrates an adequate daily rate of acceptance capacity through the year 2018. The updated information demonstrates that with Gregory Canyon opening, but without any increased daily capacity at Sycamore Landfill, County daily acceptance rates would be adequate through the year 2012. The information shows that with the proposed Sycamore Master Plan and opening of Gregory Canyon Landfill, there is adequate daily rate of acceptance capacity through the year 2018. Both the Siting Element and the updated information demonstrate a need for the proposed Sycamore Landfill Master Plan in order to meet daily waste acceptance needs within the City and County-wide.

The existing Sycamore Landfill site is located at the eastern edge of the City of San Diego, approximately 0.5 mile north of SR-52, and 3,000 feet northwest of Mast Boulevard. Access to the site is from Mast Boulevard, at its intersection with West Hills Parkway. Mast Boulevard intersects with SR-52 less than 600 feet west of West Hills Parkway. Topography of the site ranges from elevations of 670 to 808 feet AMSL along the western ridge and 830 to 907 feet AMSL along the eastern ridge of Little Sycamore Canyon, with canyon bottom elevations of 430 to 640 feet AMSL. Lands surrounding the site are designated for Open Space use in the East Elliott Community Plan, and are zoned RS-1-8. These lands also are part of the City's MHPA, which imposes restrictions on development to protect sensitive biological resources, including limiting development to the least-sensitive 25 percent of the parcel. The existing landfill parcels are excluded, or white-holed, from the MHPA, and the MSCP Subarea Plan recognizes the parcels' use as a landfill.

There are no non-landfill developed land uses closer than approximately one-half mile south of the landfill disposal site, which is the distance to SR-52. In Santee, West Hills High School is located approximately 3,500 feet southeast of the nearest landfill disposal area, as are the residential dwellings located immediately west of the Santee Lakes. Marine Corps Air Station (MCAS) Miramar is located north and west of the landfill site, but the portion of MCAS Miramar adjacent to the landfill is not developed and is used for military training and maneuvers and habitat conservation. The City of San Diego's Mission Trails Regional Park (MTRP) is located south of SR-52, more than one-half mile from the landfill site. Most of the park is undeveloped and is used for hiking, cycling, trail riding, and bird-watching. Kumeyaay Campground is located in MTRP just north of Junipero Serra Trail, approximately 1.15 miles south of the landfill disposal area, while a new equestrian center has been developed immediately south of SR-52. A proposed development, Castlerock, would if approved, be located approximately 1,700 feet east of the existing landfill.

Most of the proposed landfill-related activities will continue to be located within the boundaries of the existing 491-acre landfill site. However, approximately 26 acres outside those existing boundaries are proposed for landfill-related use, including some areas of waste disposal, the perimeter road, a fill slope to support the road, new and larger sedimentation basins, and areas for the proposed maintenance facility, additional cogeneration facilities, scales, citizen drop-off and recycling, and a new administrative office building. All of the new areas proposed for

development will be adjacent to the approved landfill footprint, or to the existing landfill access road.

The landfill is currently permitted to receive 3,965 tons per day of non-hazardous municipal solid waste. The landfill site includes ancillary uses including extensive groundwater, gas monitoring and gas collection and cogeneration systems, and a leachate collection system in compliance with environmental regulations.

Community Plan Analysis:

The proposed project is an amendment to the City of San Diego General Plan and the East Elliott Community Plan to redesignate approximately 26 acres of property from Office Commercial (3.93 acres) and Open Space (21.9 acres) to Landfill.

The Public Facilities, Services and Safety Element of the City of San Diego General Plan includes the goal of efficient, economical, environmentally sound waste collection, management, and disposal. The policies of the element include providing environmentally sound waste disposal facilities and alternatives, and to design and operate disposal facilities located within the City, to meet or exceed the highest applicable environmental standards, and to cooperate on a regional basis with local governments, state agencies, and private solid waste companies to find the best practicable, environmentally safe, and equitable solutions to solid and hazardous waste management. The proposed project will efficiently and economically extend the ability of the Sycamore Landfill to meet the waste management needs of the residents, by processing and removing aggregate materials for both on- and off-site use, enhanced processing of greens and wood materials (mulching), and processing of construction and demolition materials.

The Conservation Element of the City of San Diego General Plan includes the goal of an increase in local energy independence through conservation, efficient community design, reduced consumption, and efficient production and development of energy supplies that are diverse, efficient, environmentally sound, sustainable and reliable. The proposed project will allow the continued use and anticipated expansion of the existing cogeneration power plant as a diverse energy supply.

The Conservation Element also includes the goal of long-term management and preservation of the natural landforms and open spaces that help make San Diego unique; however, before the Conservation Element was adopted the landfill, which has some impact on natural landforms, already had been approved for long-term operations. One of the Conservation Element's policies, in part, is to protect and conserve the landforms and open spaces that: define the City's urban form; provide public views/vistas; serve as core biological areas and wildlife linkages; provide buffers within and between communities; or provide outdoor recreational opportunities.

The project proposes to redesignate approximately 22 acres from Open Space to Landfill. Presently, the lands designated as Open Space do not provide outdoor recreational opportunities,

provide views/vistas, or serve as a core biological area and wildlife linkage. The lands proposed for redesignation do not provide a buffer within or between communities, and therefore, redesignating the properties as Landfill will not have a detrimental impact on the General Plan.

The Economic Prosperity Element of the City of San Diego General Plan includes the goal of economically healthy neighborhoods and community commercial areas that are easily accessible to residents. The element includes the policy of evaluating the amount and type of commercial development that is desirable and supportable for a community, and to reduce excess commercially designated land by providing for appropriate reuse or alternative use. Commercial land may be redesignated where the following factors are present: where the existing use is underutilized and there is an adequate supply of community-serving commercial uses, where the lot size or configuration is inadequate, or other site characteristics result in an inability to develop or sustain a viable commercial use.

The project proposes to redesignate 3.93 acres of former Caltrans right-of-way from Office Commercial to Landfill. The Office Commercial designated site is an irregularly shaped parcel located between SR-52, Mast Blvd., and an on-ramp from Mast Blvd. to westbound SR-52. It is envisioned under the terms of the 1993 Settlement Agreement and Release among the City of San Diego, the County of San Diego, and Caltrans to be used as landfill-serving commercial, and that is the use proposed by the project. Because most of the East Elliott Planning Area is designated as Open Space, there are few residents to support office commercial uses. Therefore, are designating the parcel to Landfill will not have a detrimental impact on the City of San Diego General Plan, and will implement the plan's goals and policies.

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The East Elliott Community Plan anticipates the expansion of the Sycamore Landfill, and the proposal to redesignate approximately 26-acres from Open Space and Office Commercial to Landfill will not have a detrimental impact on the community plan.

Environmental Analysis:

Transportation/Circulation

The project's direct traffic impacts would be fully mitigated through a combination of physical improvements, a Transportation Demand Management (TDM) Plan, and fair share payments, as set forth in the Mitigation Monitoring and Reporting Program. "Tickets" is the basis for the landfill traffic study, and accounts for the trucks entering the landfill, all of which are required to pull a ticket at the landfill scale house. For purposes of the project the City will continue to assume there will be a significant, unmitigated cumulative impact to SR-52 even with mitigation; however, updated information demonstrates that impacts to SR-52 will be fully mitigated.

The TDM plan is as follows and is included as a permit condition:

To avoid or reduce traffic impacts to State Route 52 during peak periods (7-9 a.m. and 4-7 p.m.), the applicant shall implement the following Transportation Demand Management Plan (TDMP) to the

satisfaction of the City Engineer. Prior to the first phase of the expansion (maximum of 1,250 tickets/3,040 average daily trips), the applicant shall monitor and report the landfill tickets. If peakperiod tickets exceed 104 in the a.m. or 44 in the p.m. more than five percent of the time in a given month, the applicant shall take steps to reduce landfill peak-period traffic by implementing one or more of the following steps in subsequent months:

- Reduce deliveries by vendors during a.m. and/or p.m. peak periods.
- Revise employee hours to ensure commutes occur outside a.m. and/or p.m. peak periods.
- Implement a.m. and/or p.m. peak-period disposal pricing measures.
- Prohibit self-haul trash disposal during a.m. and/or p.m. peak periods.
- Adjust transfer vehicle deliveries during a.m. and/or p.m. peak periods.
- Convene a meeting of the TDMP Committee to consider other possible traffic management issues.

Prior to the first phase of the expansion, the project shall begin submitting reports that shall contain a summary of annual traffic information that must ensure that ticket counts, daily trips, trips per hour and tons per day are within the limits of operation; in addition, each quarter the report shall list peak-period tickets by hour and by day, and tickets per hour and inbound trips per hour for a representative day. It also shall describe the measures implemented to reduce trips and the effect of those measures on trips or tickets. If peak-period tickets exceed specified levels more than 5% of the time in a given month, the applicant shall implement one of several measures to attempt to reduce peak-hour traffic, and meet with a TDM Committee to consider other possible traffic management issues.

Noise

Noise-related impacts will be reduced to below a level of significance with implementation of Mitigation, which require the applicant to construct 15 to 20-foot-high noise barrier berms between the landfill operations area and the nearest MHPA and/or residentially zoned boundary whenever the working face is within 1,600 feet of the MHPA boundary and its elevation is above or less than 20 feet below existing topographic barriers. Noise impacts also will be further reduced with implementation of Mitigation which prohibit nighttime landfill operations within 200 feet of the nearest residential parcel boundary if the residential parcel(s) adjacent to the landfill has/have been developed. Potential indirect noise-related impacts to MHPA lands or coastal California gnatcatchers will be reduced to below a level of significance through mitigation.

Biological Resources/Open Space

The project's direct and indirect biological impacts would be reduced to below a level of

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significance with implementation of mitigation.

A qualified biologist shall conduct annual surveys for coastal California gnatcatchers in MHPA habitat areas that are subject to construction noise levels exceeding 60 decibels [dBA] hourly average, and shall survey for Cooper's hawk's or other raptors' nests within 300 feet of the landfill or ancillary facilities or transmission line corridor to be constructed during the nesting season of February 1 to September 15.

The project would have a significant cumulative biological impact to approximately 4.72 acres of Native Grassland habitat, or mixed habitats containing Native Grassland species. The City requires no net loss of native grassland habitat to fully mitigate cumulative impacts to native grassland. The applicant proposes to preserve 6.71 acres of in-kind habitat from nearby MHPA parcels thereby meeting the mitigation ratios required by the Biology Guidelines and fully mitigating direct impacts to native grassland, although this does not fully mitigate cumulative impacts. In addition, the applicant proposes to plant approximately 300 acres of native grassland, but cannot commit that area as protected habitat because there will be a need to conduct maintenance in some areas in accordance with the Final Closure Plan for some time in the future. It is expected that the majority of the replanted areas would remain undisturbed. Ultimately, at completion of Final Closure, the site would revert to open space and no further disturbance of these 300 acres would be expected. The preservation of 6.71 acres of in-kind habitatealong with the revegetation of 300 acres of native grassland, most of which will be preserved and ultimately all of which will be preserved upon completion of final closure, will provide a substantially greater benefit than creation and preservation of 4.72 acres and preservation of and additional 1.99 acres of Native Grassland, which is what would otherwise be required to mitigate direct impacts and meet the no net loss standard to fully mitigate cumulative impacts.

Over the years, the applicant has conserved 564 acres of habitat, some of which came from contributions to the City's Habitat Acquisition Fund, some of which came from the applicant's contribution of \$2.8 million to the City that was combined with State Conservation Funds and used to purchase more than 285 acres of habitat in East Elliott to conserve as MHPA open space, and some of which was acreage conveyed from the applicant to the City. This figure includes the approximately 82 acres of upland habitat that will be provided as part of the Master Plan.

Air Quality

Project mitigation measures require engine maintenance, reduction of dust and methane emission monitoring, and shall reduce but not fully mitigate the project's potential criteria pollutant air quality impacts. Other mitigation measures require the use of low VOC paints and dust control, and shall reduce but not fully mitigate the project's potential air quality impacts from landfill ancillary facility construction. Additional mitigation measures require odor control, and shall reduce but not fully mitigate the project's potential odor impacts.

The project can result in a violation of the San Diego Air Pollution Control District (SDAPCD)

Rule 51 "Nuisance" (State Health and Safety Code Section 41700) because some green material or composting odors may occasionally be detectable at sensitive receptor locations in the future, with or without the landfill Master Plan development, although such odors are unlikely to be widespread or long-term. Odor will be reduced through a variety of mitigation measures including outreach aimed at eliminating public storage and transport of green material in plastic bags, minimizing storage of green materials, increasing aeration, monitoring and responding to odor complaints, and updating the Odor Management Plan as necessary. Although these measures will reduce odors, they cannot guarantee that no odor will be detected off-site. As such, then, these direct impacts are considered to be significant and not fully mitigated.

Odorous waste received at the landfill scales may result in odor impacts at sensitive receptor locations. Highly odorous loads of waste noted at the facility scales will be buried quickly, as required by landfill operating procedures and the California Integrated Waste Management Board regulations. In addition, the landfill will minimize the site of the municipal solid waste working face based on the number of municipal solid waste vehicles using the facility at any one time. The landfill has not received significant complaints concerning MSW odors (as opposed to green material odors) in the past and none are expected in the future due to the requirement that the landfill continue minimizing the working face size. However, since there is no defined industry standard to objectively measure the effectiveness of that action, it is not listed as a mitigation measure. Although operational odor will be reduced, it is impossible to guarantee that no odors will ever be detected off-site. Therefore this direct impact will be considered significant and not fully mitigated.

Greenhouse Gas (GHG) emissions from project-related waste haul vehicles, landfill vehicles, gases that escape from the landfill surface, and emissions from landfill flare and power generation equipment will occur. Emissions from the Sycamore Landfill will be minimal due to the landfill operational procedures of on-site conversion of landfill gas to energy, the flaring of any residual methane that cannot be converted to energy, carbon sequestration, regular evaluation of surface emissions, and maintenance of the landfill cover to avoid leaks and cracks. Moreover, the Master Plan will help to implement the City of San Diego ordinances and policies regarding construction and demolition waste and recycling of materials. At this time, given the lack of established significance thresholds for reducing GHG, the projected GHG emissions are considered cumulatively significant and not fully mitigated.

Project-Related Issues:

Easement and Public Right-of-Way Vacations

The proposed project would include the vacation of numerous easements and rights-of way. A discussion of these vacations and justification are included in Attachment 10.

Franchise Agreement

The City and the applicant entered into a Franchise Agreement in 1997 that limits the amount of tonnage that the landfill can accept on an annual basis, and sets forth the parties' understanding as to the amount of municipal solid waste that would be expected to be disposed of at the landfill upon the closure of Miramar Landfill. The EIR does not limit its analysis to just the tonnage allowed by the 1997 Franchise Agreement; rather, it takes a conservative position and assumes a worst-case based on the amount of daily tonnage and total tonnage that actually may be required for adequate disposal for the City and the region. This was done in order to ensure that the EIR adequately analyzed all reasonably foreseeable future impacts. It is highly unlikely and would be unprecedented for the landfill to receive the maximum allowable daily tonnage every day, seven days a week, as is assumed for purposes of the EIR. In fact, the landfill could not accept that amount of waste, due to the limitations in the Franchise Agreement. Rather than limiting the EIR assumptions to those set forth in the Franchise Agreement, the EIR anticipates the worst case, making aggressive projections to ensure that all impacts could be evaluated. In any event, the landfill is required to comply with the terms of the Franchise Agreement. The project also provides mitigation based on the worst-case assumptions in the EIR, as a way to ensure that the landfill will have the capacity required if the City's needs increase. The EIR does not, however, obligate the City to dispose of the maximum amount of tonnage, nor does it allow the maximum amount of trash to be disposed, until such time, if ever, as the terms of the Franchise Agreement are amended to allow such an increase.

Sycamore Landfill is obligated to provide available landfill capacity to the City from the year 2008 through the year 2035, which equates to approximately 75 million tons of total capacity. The Master Plan contemplated by this project provides adequate disposal capacity to meet this obligation.

Aggregate Processing

Aggregate processing at Sycamore Landfill was approved as part of the 2002 approvals of PDP/SDP 40-0750. Those operations shall continue under the Master Plan, with no change other than a slight increase in the area to be excavated. By productively processing the aggregate extracted as part of the excavation required for the landfilling operations, the project provides a regional benefit without the need to find a new location for aggregate processing elsewhere in the County, or additional imports. Its central location is also beneficial, as it means less transport of aggregate on roadways is required.

In the past, aggregate excavated as part of the landfilling process was put back into the landfill, and lost as a resource to the region. By providing a place for aggregate processing, the landfill is providing another form of recycling, which avoids wasting the aggregate resource in the landfill, and also productively uses the aggregate resources for base material and other local uses rather than using them to take up landfill capacity with no corresponding environmental benefit.

FAA/Airport Consistency Determination

The FAA has determined that the Sycamore Landfill Master Plan is not a hazard to aviation, either from the landfill itself or the transmission lines that will be relocated as part of the project. In addition, the San Diego Airport Authority has determined that the project is consistent with the applicable ALUCP.

Conclusion:

The proposed project will result in new long-term disturbance of less than 39 acres of additional sensitive habitat resulting from proposed development of the landfill. Staff has determined the proposed Sycamore Landfill Master Plan project, with the adoption of the East Elliott Community Plan Amendment, complies with the applicable sections of the Municipal Code and adopted City Council policies. Staff has determined the required findings can be made to support the decision to approve the proposed project. An Environmental Impact Report has been prepared for this project and all feasible mitigation has been required to reduce potentially significant impacts to a level below significance. For those impacts that cannot be reduced to a less-than-significant level, Findings and a Statement of Overriding Consideration must be made to certify the Environmental Impact Report. Staff recommends the Planning Commission recommend to the City Council approval of the resolutions amending the East Elliot Community Plan/General Plan No. 9917, and granting the Public Right-of-Way Vacations No. 534709 Easement Vacations No. 534708, Parcel Map No. 534711, Site Development Permit No. 9310 and Planned Development Permit No. 9309.

ALTERNATIVES:

- 1. Recommend that the City Council APPROVE amendments to the Progress Guide and General Plan, and the East Elliot Community Plan, No. 9917; ADOPT Rezone No. 534712; and APPROVE, Public Right of Way Vacations No. 534709 and Easement Vacations No. 534708 on Parcel Map No. 534711; and Right of Way Vacations No. 534709 on a Portion of Map No. 1703; Site Development Permit No. 9310 and Planned Development Permit No. 9309 to amend Prior Permit No. 40-0765, with modifications.
- 2. Recommend that the City Council DENY amendments to the Progress Guide and General Plan, and the East Elliot Community Plan, No. 9917, Rezone No. 534712; and, Public Right of Way Vacations No. 534709 and Easement Vacations No. 534708 on Parcel Map No. 534711; and Right of Way Vacation No. 534709 on a Portion of Map No. 1703; Site Development Permit No. 9310 and Planned Development Permit No. 9309, if the

findings required to approve the project cannot be affirmed.

Respectfully submitted,

Mike Westlake

Program Manager

Development Services Department

Project Manager

Development Services Department

Mary Wright

Deputy Director

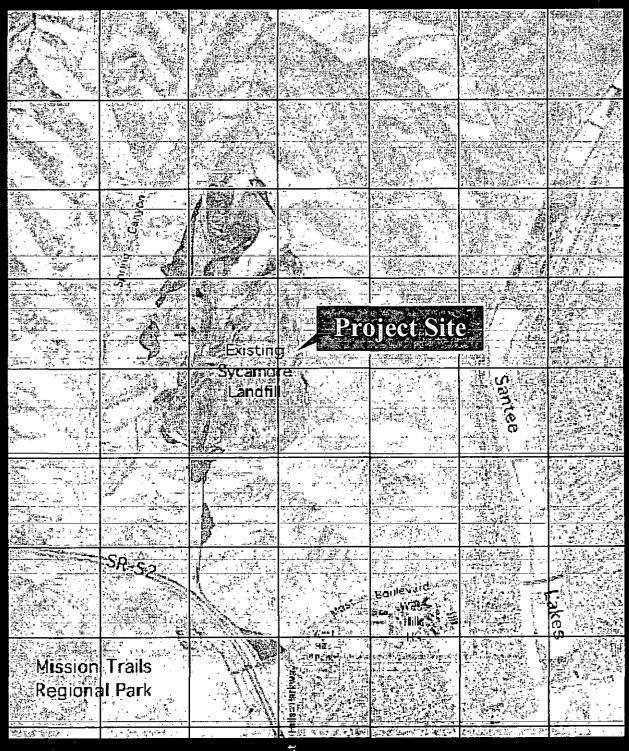
City Planning and Community Investment Department

WESTLAKE/WRIGHT/JCT

Attachments:

- 1. Aerial Photograph
- 2. Community Plan Land Use Map
- 3. Project Location Map
- 4. Project Data Sheet
- 5. Project Site Plans
- 6. Draft Permit with Conditions
- 7. Draft Resolution with Findings
- 8. Draft Parcel Map with Easement Vacations, Vacation Resolution, Easement Relocation Exhibit and Federal Sales Notice
- 9. Access Road Vacation Resolution, "B" Sheet, and Proposed Quitclaim Deed
- 10. Easement and Access Road Discussion
- 11. Community Plan Amendment Initiation Resolution No. 3355-PC and Staff Responses to Initiation Issues
- 12. Draft Community Plan Amendment Resolution and Strikeout/Underline of Proposed Community Plan
- 13. Draft Rezone Ordinance and Rezone "B" Sheet
- 14. Copy of Recorded Prior Permits
- 15. Siting Element Resolutions and Document
- 1 Ownership Disclosure Statement
- 17. Project Chronology

ATTACHMENT 1





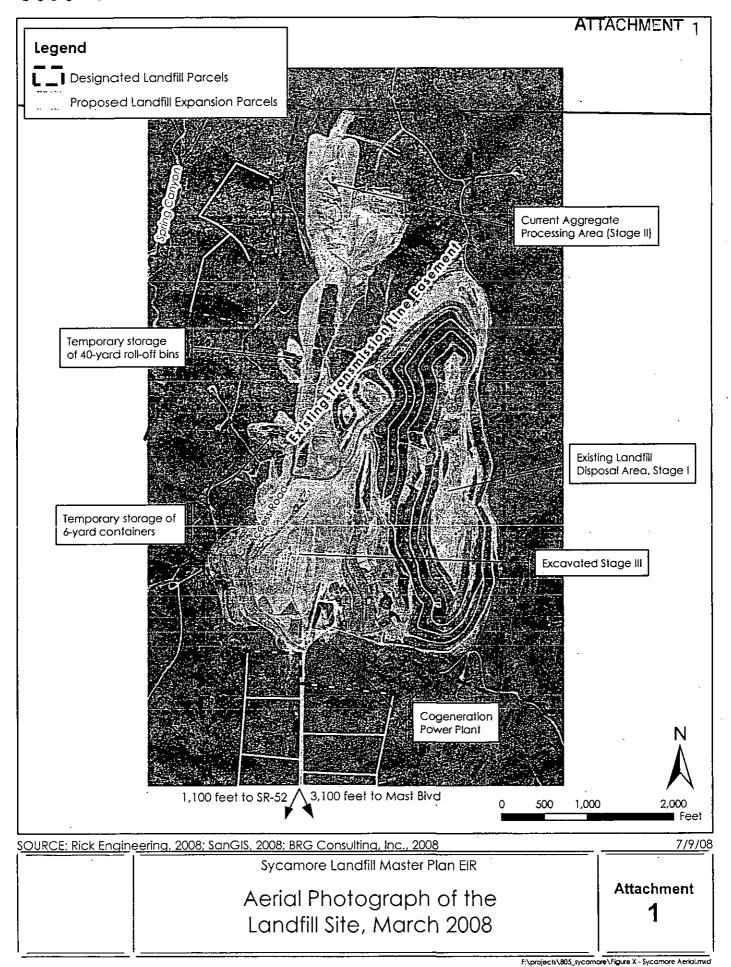
Approved Landfill Development Boundaries

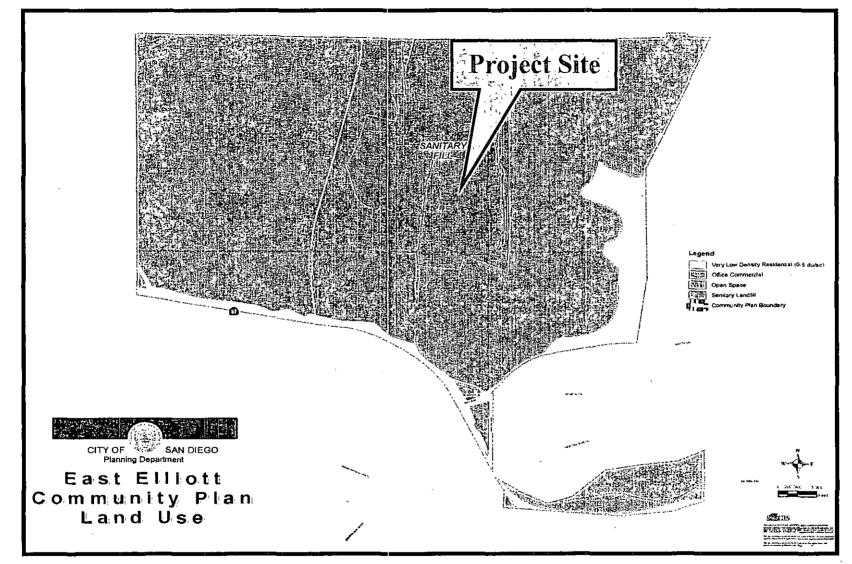
Aerial Photo



Proposed New Development under Master Plan

SYCAMORE LANDFILL - PROJECT NO. 5617 8514 MAST BOULEVARD

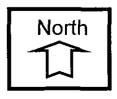


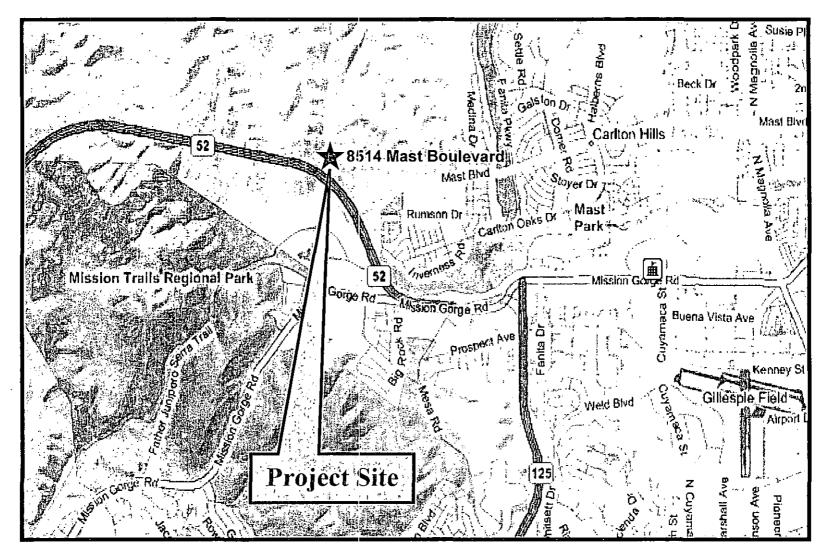




Land Use Map

SYCAMORE LANDFILL – PROJECT NO. 5617 8514 MAST BOULEVARD – EAST ELLIOTT



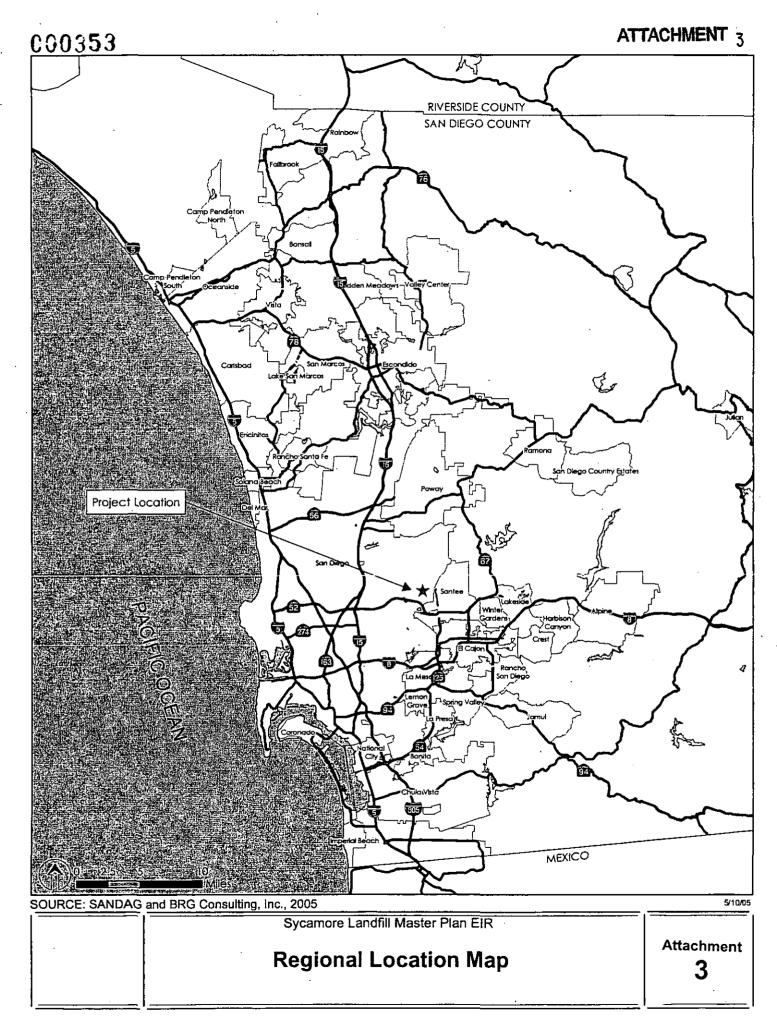




Project Location Map

<u>SYCAMORE LANDFILL – PROJECT NO. 5617</u> 8514 MAST BOULEVARD





PROJECT D	ATA SHEET
PROJECT NAME:	Sycamore Landfill Master Plan – Project 5617
PROJECT DESCRIPTION:	Landfill capacity expansion
COMMUNITY PLAN AREA:	East Elliot
DISCRETIONARY ACTIONS:	Rezone, Community and General Plan Amendment, Parcel Map, Public Right-of-Way and Easement Vacations, Site Development Permit and Planned Development Permit.
COMMUNITY PLAN LAND USE DESIGNATION:	Landfill

ZONING INFORMATION:

ZONE: IH-2-1

HEIGHT LIMIT: None, (4 stories or 50 feet in Mission Trails Design District)

LOT SIZE: 30,000 square feet

FLOOR AREA RATIO: 2.0

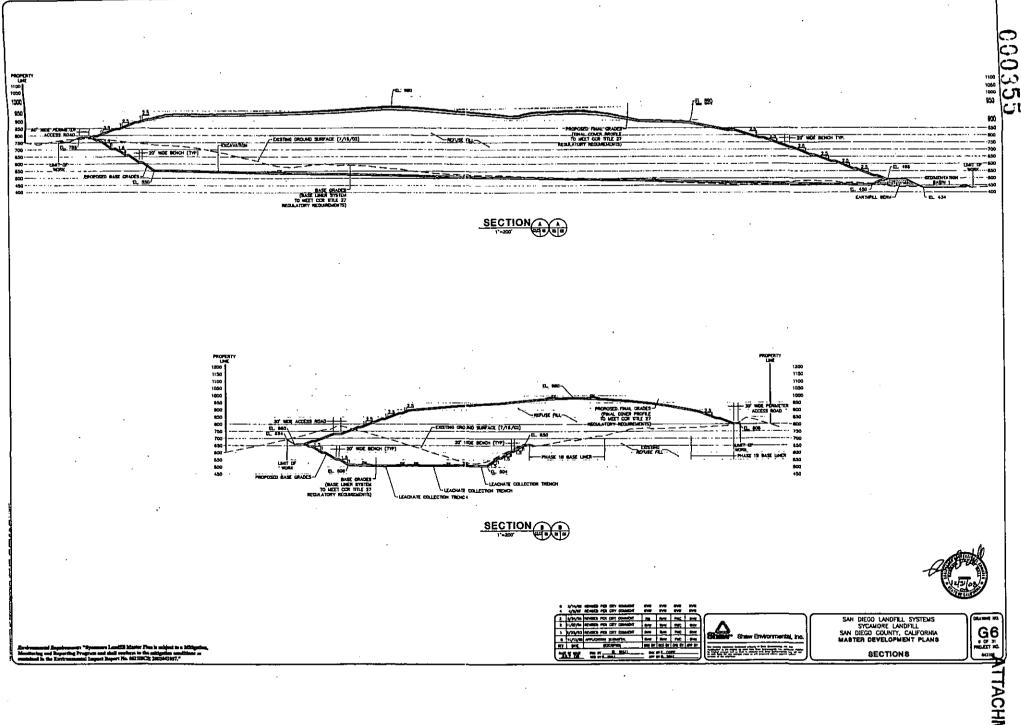
FRONT SETBACK: 20 feet minimum, 25 feet standard

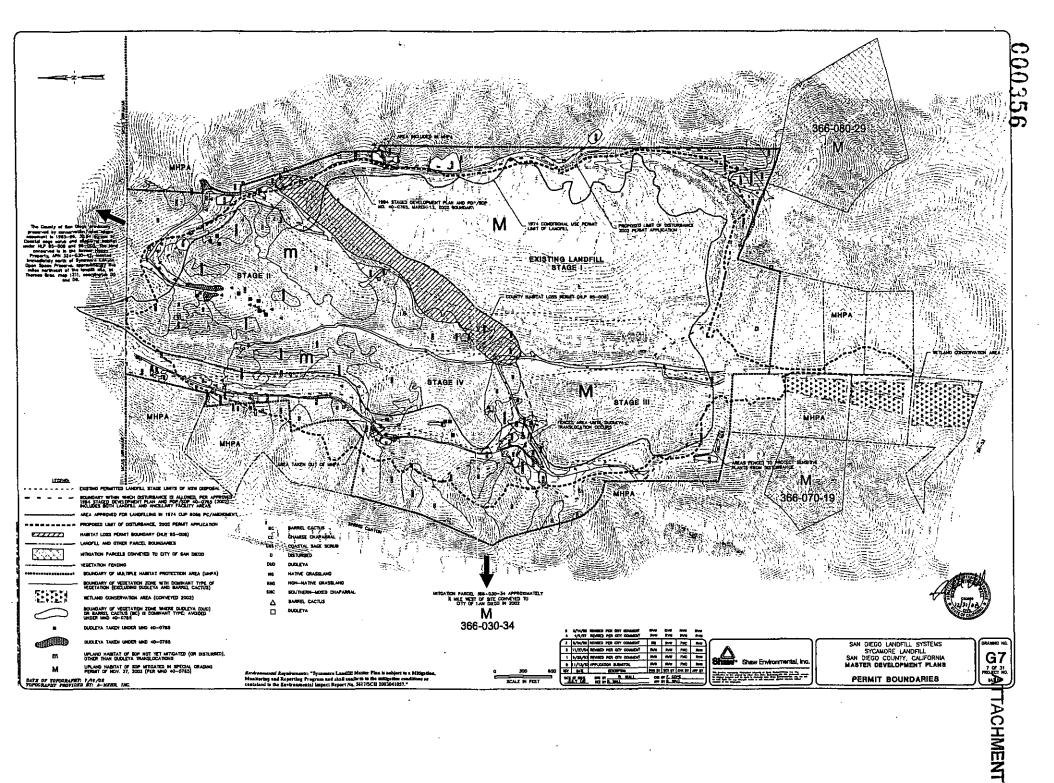
SIDE SETBACK: 15 feet

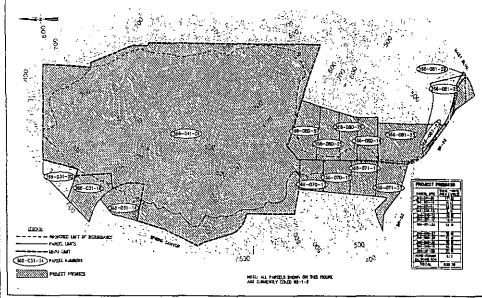
STREETSIDE SETBACK: 20 feet minimum, 25 feet standard

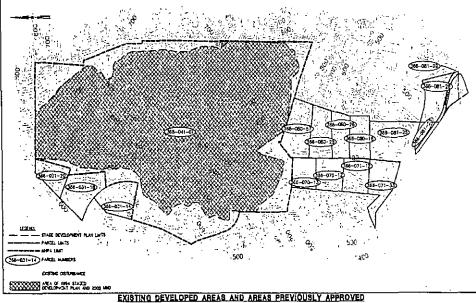
REAR SETBACK: 20 feet (30 feet when adjacent to residential development)

	parking spaces required	(63 provided)	
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE	
NORTH:	Open Space & RS-1-8	Open Space	
SOUTH:	Open Space & RS-1-8	State Route 52	
EAST:	City of Santee	Mast Boulevard	
WEST:	Open Space & RS-1-8	Open Space	
DEVIATIONS OR VARIANCES REQUESTED:	 Deviation from LDC Section 131.0665 to provide a 450 square foot indoor eating area where a 2,000 square foot outdoor eating and/or recreation facility is required. Deviation from LDC Section 143.0141 to impact 		



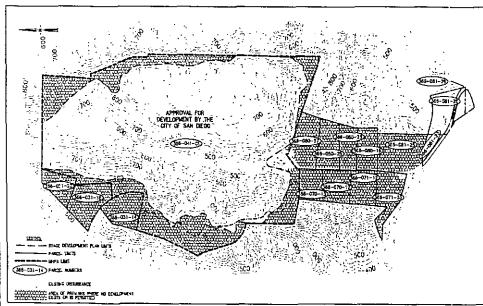






PROJECT PREMISES

XISTING DEVELOPED AREAS AND AREAS PREVIOUSLY APPROV BY THE CITY OF SAN DIEGO FOR LANDFILL DEVELOPMENT



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AREA OF UNDEVELOPED, UNPERMITTED PREMISE

PROPOSED DEVELOPMENT AREAS AND AREAS WITHIN THEM CONTAINING STEEP NATURAL SLOPES

LOTES: 1. STEEP SLOPE CRITERIA BASED ON JULY 2002 STEE TOPOGRAPHY.

Environmental Requirements: "Sycumore 2 energii Master Plan is subject to a Ministion of Montering and Reporting Program and shall conferent to the militarium conditions as contained in the Environmental Impact Report No. 5617.5CH 2003043057."



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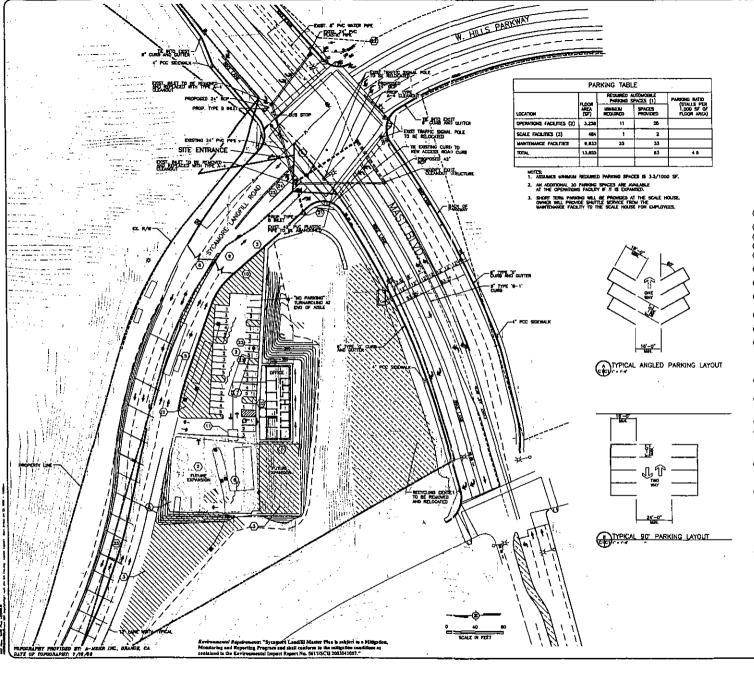
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SAN DIEGO LANDFILL SYSTEMS SYCAMORE LANDFILL SAN DIEGO COUNTY, CALIFORNIA MARTER DEVELOPMENT PLANS

STEEP SLOPE DETERMINATION

G8 8 OF 31 PROJECT HO. BH3100



LEGENO and NOTES:

	APPROXIMATE LIMITS OF WORK. (139,870 SQ. FT.)	
	DRAMAGE SHOLE	
-V	RECLAMED WATER LINE (POTABLE WATER TO BE SUPPLIED BY A BOTTLED SOURCE)	
-13	SANITARY SEWER	
	DRAINAGE FLOW	
	EXISTING RIGHT OF WAY	

GENERAL

0	NEW OPERATIONS OFFICE COMPLEX. SÉE SHÉET A10.
(D)	HEW AC PAYING FOR EMPLOYEE PARKING
(উ)	LANDSCAPING. SEE SHEET L1.
0000	EXISTING LANDFILL SITE ENTRANCE.
Ō	EXECUTED TRUCK SCALE AND SCALE HOUSE TO BE REMOVED.
•	EXISTING MODULAR OFFICE BUILDING TO BE REMOVED.
⑦	HISCELLANEOUS STRUCTURES TO BE REMOVED.
•	ENTRY CASES. GATES WILL OPEN AND CLOSE IN ACCORDANCE WITH THE SOLID WASTE FACELTY PERMIT.
•	Possible sanitary sewen line to public sewer of available in puture
(10)	WATER LINE TO PADRE DAM MURREPAL WATER DISTRICT WATER LINE.

FIRE DEPARTMENT REQUIREMENTS:

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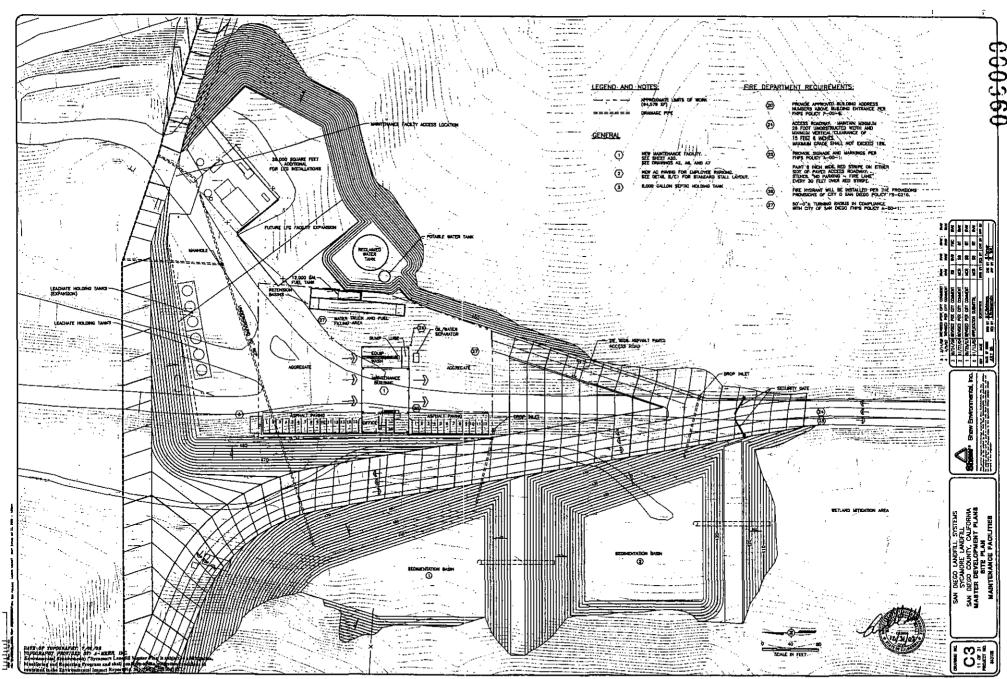
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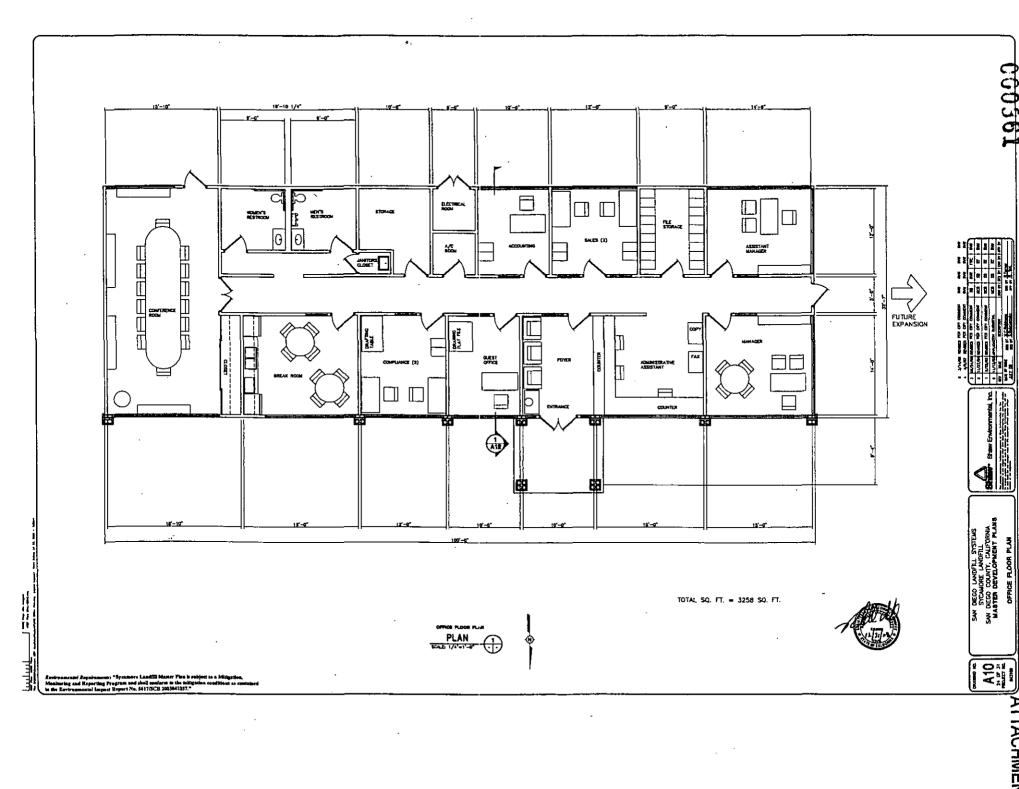
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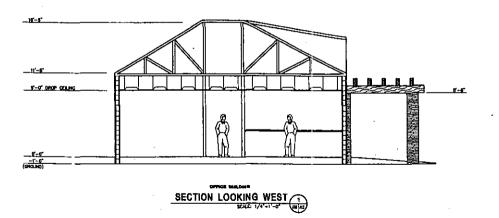
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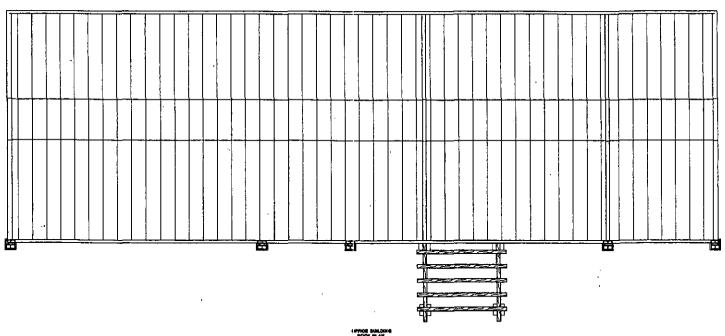
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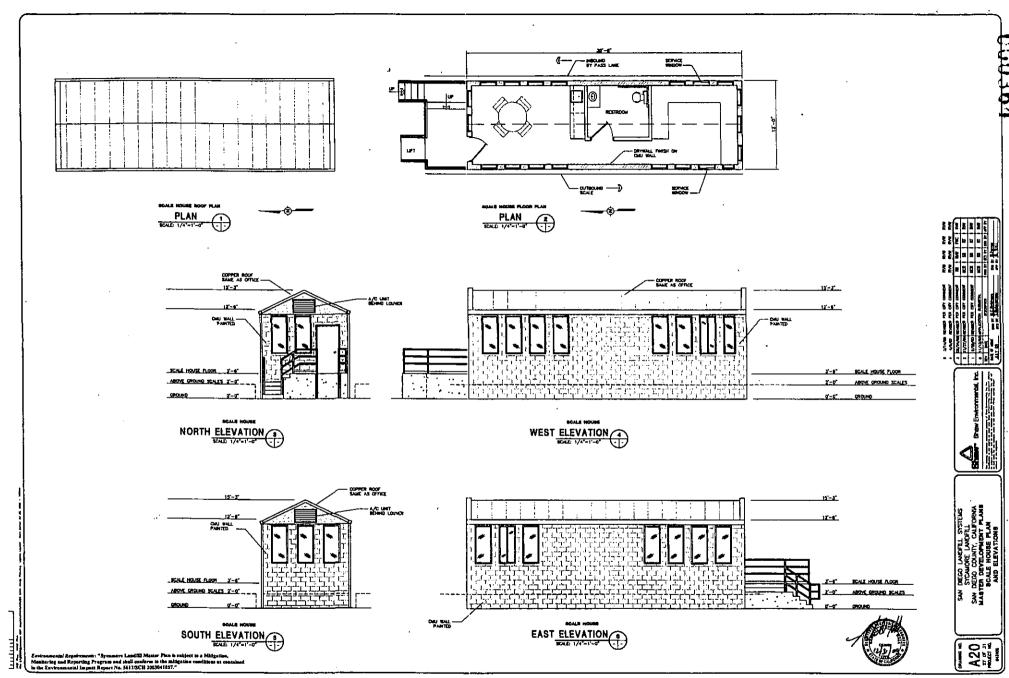


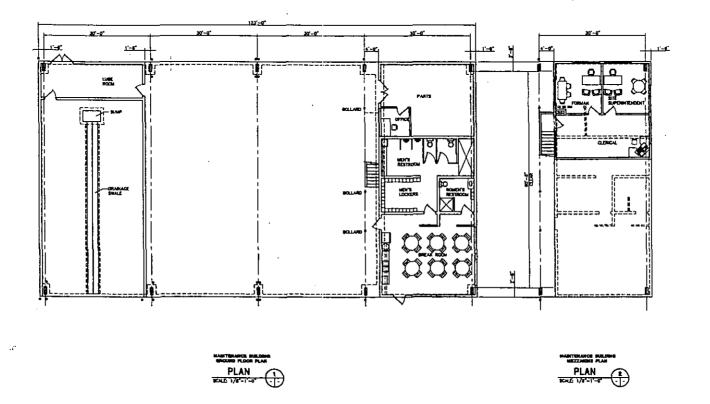


PLAN SCALE 1/4*=1'=0'

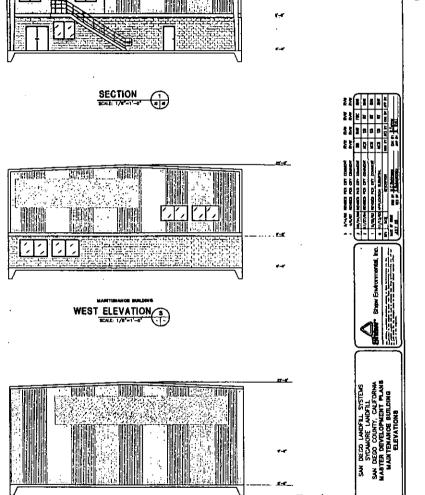
Environment Requirements: "Sycamore Landill Master Plan is subject to a Mitigation, Manitoring and Reporting Program and shall conform to the mitigation conditions as conta in the Environmental Impact Report No. 5417/SCE 2003041047."

A 12 28 of 31 PROCEST NO.



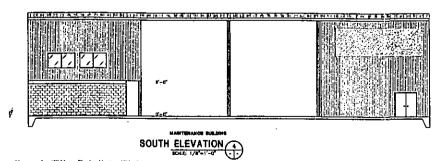


A30 ATTACHMENT



EAST ELEVATION 6

NORTH ELEVATION



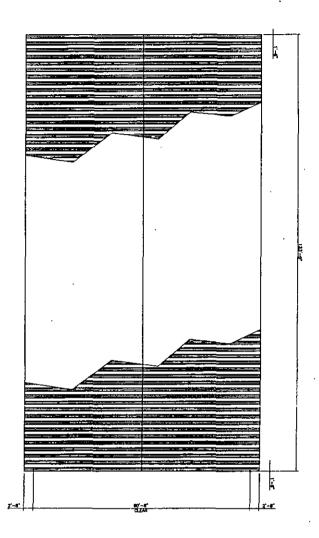
Manitoring and Reporting Program and shall engions to the midgation of in the Environmental Impact Report No. 5617/5CH 2003041057."

21-F

ATTACHMENT

A31

ATTACHMENT !

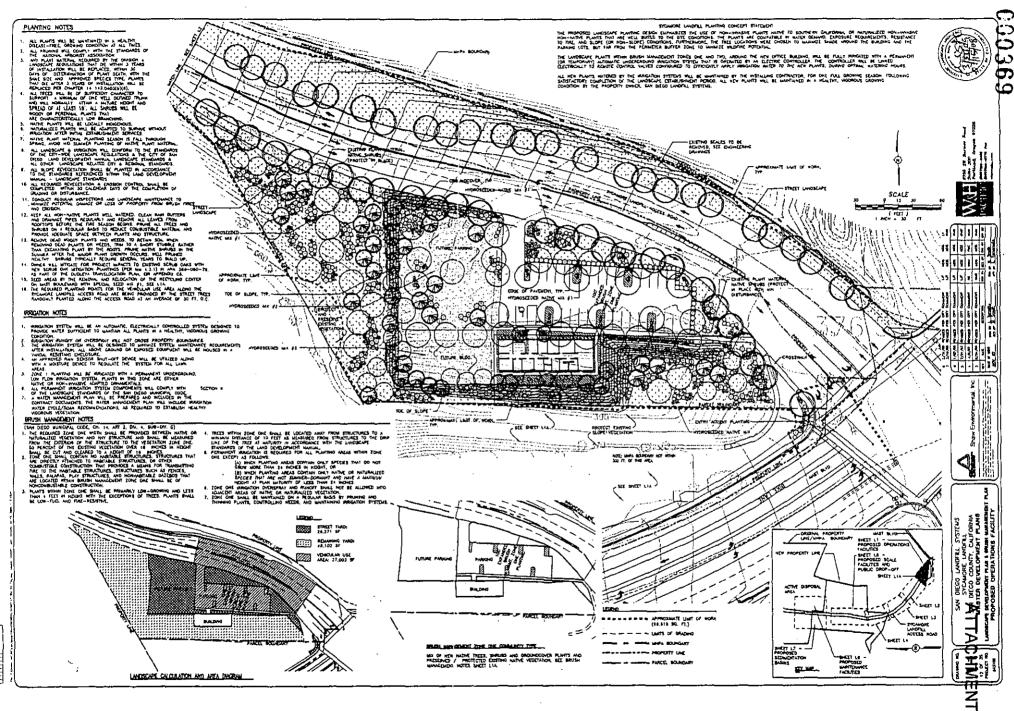




SAN DIEGO LANDFILL SYSTEMS
SYCAMORE LANDFILL
SAN DIEGO COUNTY, CALFORNA
MASTER DEVELOPMENT FLANS
MAINTENANCE BUILDING
ROOF PLAN

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PACET LE PROPOSED MAINTENANT FACILITIES

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SEED WILL \$1 - NATIVE EROSION CONTROL SEED MIXTURE

ANADORE FROM 5 & 5 SEEDS, INC. (403) ESSENCES			
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2.0	DOHANDRA FASCICULATA	10/25	
2.0	ESCHSCHOLZIA CALFORNICA	14/75	
ž.ū	EMICPHYLLUN CONFERTIFICAUM	30/00	
8.0	LEYMUS CONDENSATUS	70/80	
1.0	LUPINUS BICOLDA	48/80	
3.0	MELICA IMPERIENTA	10/60	
10	MINUTUS AUTOMOTOCUS PURCEUS	05/70	
30	MASCLA LIPICA	99/90	
5.0	HASTILA PULCHAA	20/40	

PLANTING NOTES

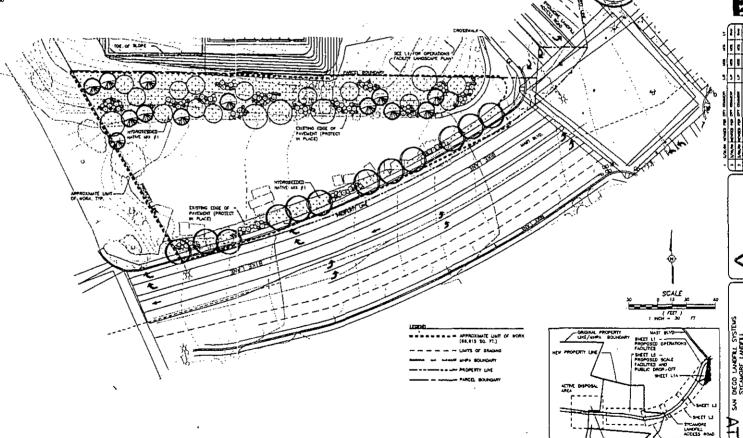
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- 11, CONDUCT REGIGAR RESPECTIONS AND LANDSCAPE MAINTENANCE TO MEMBER PROTECTION, DAMAGE OR LOSS OF PROPERTY FROM BRUSH FIRES AND LEGISLAND LOSSION.
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TOTAL 14" BOX TREES: TOTAL POINTS FOR NEW 21" BOX TREES 12 # 20 (POHTS/PLANT) . BIG POHTS TOTAL 38" NOT PROCES:

62 × 50 (POHTS/PLANT) = 3,100 POHTS

TOTAL 1 GALLON SHAVES 678 TOTAL POINTS FOR HEW I GALLON SHRUBS. 676 J. I. (POINT/PLANT) = \$78 POINTS

Parties Texas - to at recommon TOTAL HON-HATIYE PLANTS HITH 2" CALIFER ...

TOTAL POINTS FOR PROTECTED TREES: + x 30 (POHTS/PLANT) = 200 POHTS

DOTTING SHOULDS - TO BE PROTECTED

TOTAL PLANTS WITH 24" HEIGHT /SBREAM. 4 x 15 (POINTS/PLANT) = TOTAL POINTS FOR PROTECTED SHRUBS.

3 493 TOTAL

BRUSH MANAGEMENT NOTES:

EDITOR OHE REQUESTIONS

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WHEN PLANTING AREAS CONTAIN ONLY NATIVE OR NATURALIZED SPECIES THAT ARE NOT SUBMED-DORMANT AND MAYE A MAXIMUM NEGHT AT PLANT MATURITY OF LESS THAN 24 MICHES. ZONE ONE SPRIGATION CHER BYRAY AND MUNORY SHALL NOT BE ALLOWED INTO AGAICENT AREAS OF NATURALIZED MIGETATION.

ZONE ONE SHALL BE MAINTAINED ON A REGISHAR BASIS BY PRUMING AND THMBONG PLANTS.

BRUSH MANAGEMENT ZONE WIDTH REQUIREMENTS

(8-2000) HUNNOPAL CODE	DWMEN 14	CENERAL REPULATIONS	
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BUNDOME

MARS STILL MIX D. CANDENSTITUTO)

SUGGESTED PLANT MATERIALS LIST FOR SHEET LT

SEED MX \$1 - MATTINE EMOSION CONTROL SEED MIXTURE AVAILABLE PROMES IN SISTERIS, INC. (805) \$84-0438 PURITY/CERMINAL SPECIES 10/25 18/73 30/60 70/60 88/80 80/80 03/70 80/80 70/60

NATIVE LANDSCAPE BOULDERS, AVERAGE 3' FACE SIZE, SPACE AS SHOWN BURY APPROX. 2/5 OF EACH BOULDER BELOW FINISHED GRADE.

SEED MR #1 - BASIC HON-PRINGATED EROSION CONTROL SEED METTING, AVAILABLE FROM: 2 & 1 SEEDS INC. (805) 884-0436

LBS/ACRE	MCCC3	PURITY/GERANNA ROM
1.0	ASTRAGALUS TRICHOPODUS	00/85
2.0	ATRIPLEX CANESCENS	80/40
1.0	ATRIPLOL LIDITEGRALS LENTEGRALS	90/50
1.0	SACCHARIS PILULARIS	92/40
1.0	DEINANDIA FASCICULATA	10/23
3.0	DICELIA CALIFORNICA	49/40
3.a	ENERGCARPUS SETTEMBERUS	10/40
2.0	DEOPHTILLIN CONFERTIFLORUM	30/80
30	GRUNOELA CAMPORUM	79/80
ĭ.ĕ	HOROEUM DEPRESSUM	99/86
1.0	HOADEUM INTERCEDING	90/80
2.0	LASTHEMA CALIFORNICA	90/88
3.0	LEYMUS CONDENSATUS	70/60
1.0	LOTUS ECOPARIUS	90/60
1.0	BUDGES AUGMATHACUS PLANCEUS	03/70
1.0	WELKA IMPERATECTA	90/90
3.0	MARELLA LEPIDA	80/80
3.0	HUSELLA PULCHAL	70/40
1.0	SALVA APANA	70/50

(308 OF MIX) EVG. 3-8" H X 3-8" N, FULL SUN (308 OF MIX) SLOPES, ROUNDED, 3" H X 4" N, FULL SUN, NATH

STREET YARD/REMAINING YARD PLANTING REQUIREMENTS

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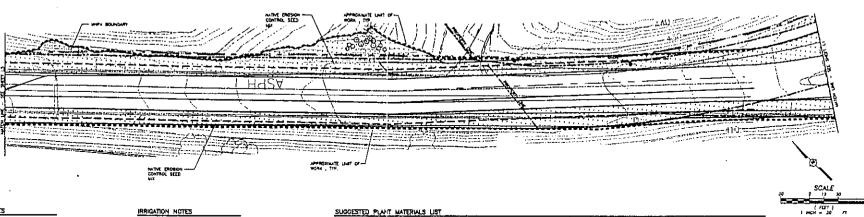




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	6.0	LEYSIUS CONCENSATUS	70/80
	6.0	LLAPHUS BICCLOR	16/60
	3.0	HELICA IMPERATORA	90/60
	1.0	MINULUS AUTOMITAÇUS PUMICITUS	03/70
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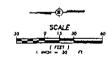
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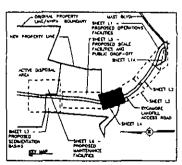
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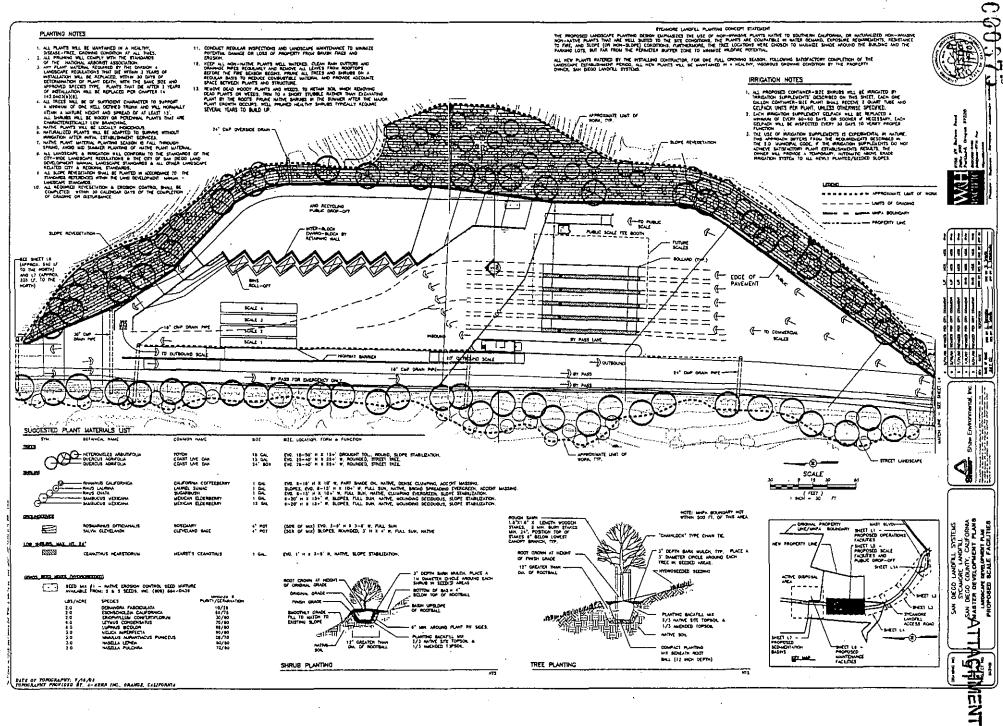
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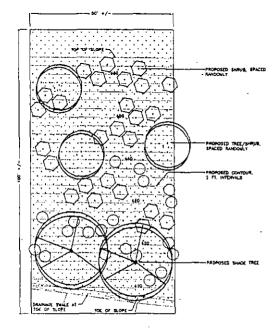
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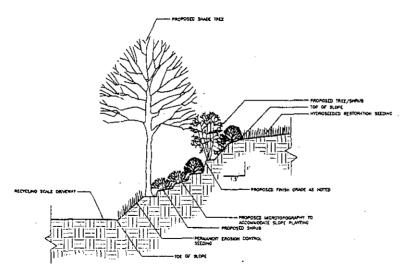


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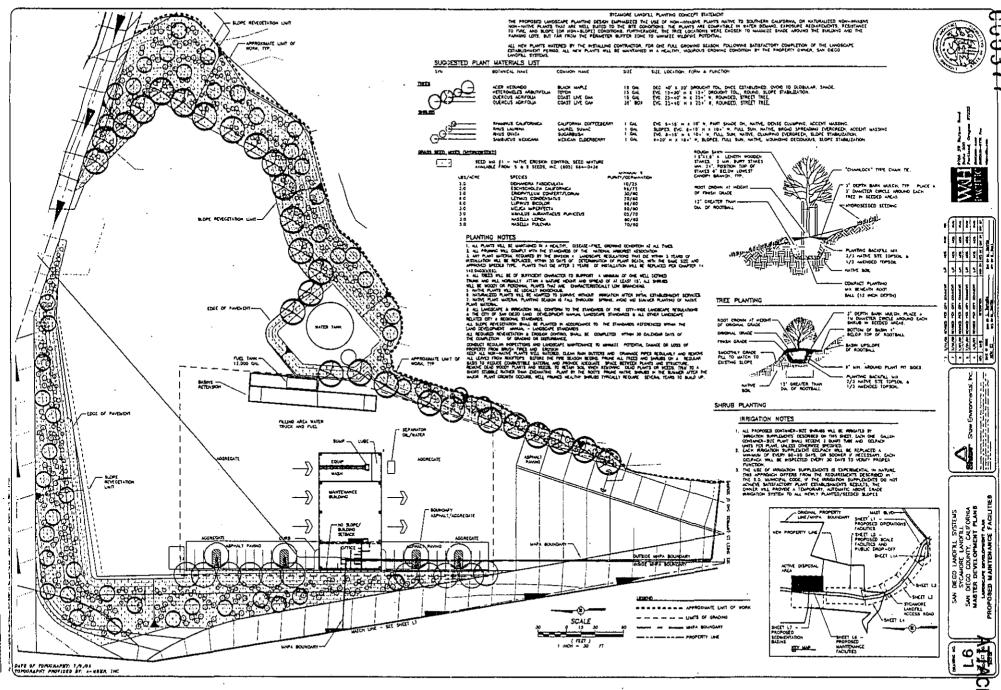
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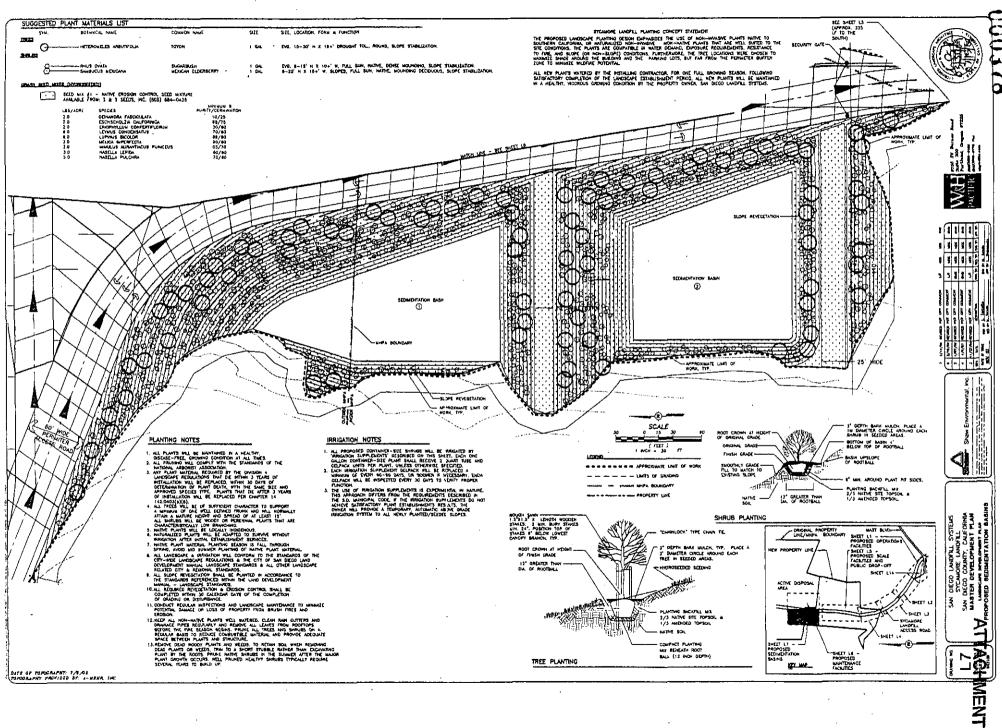
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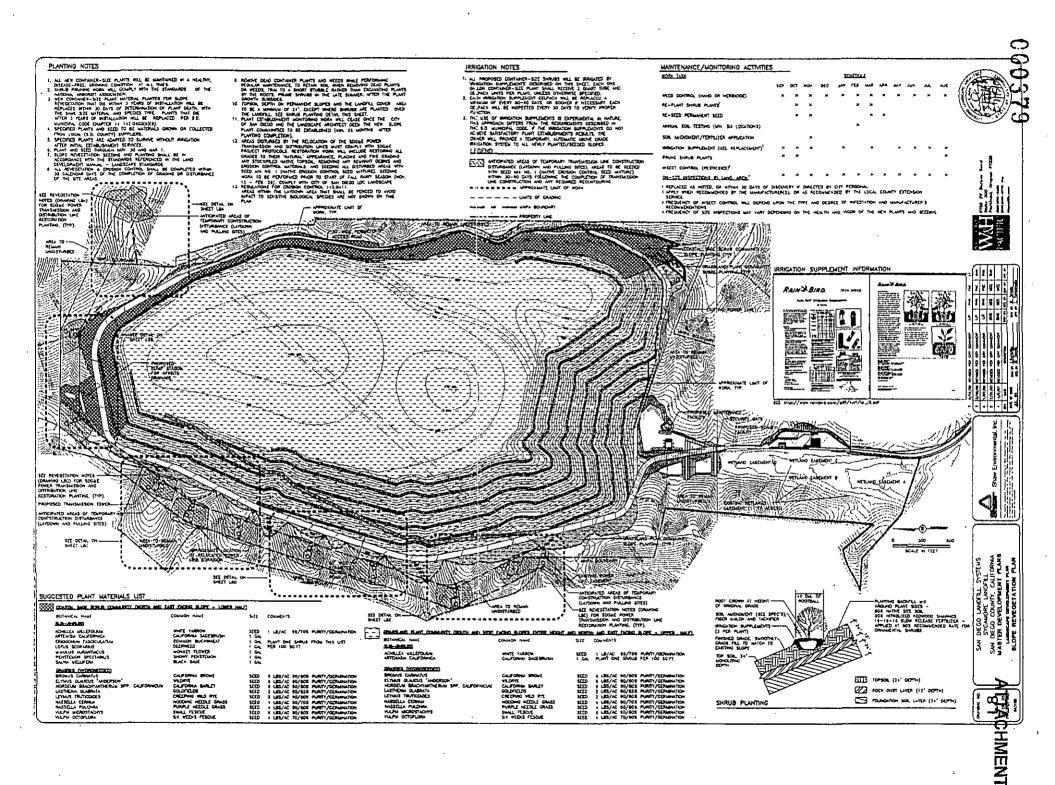


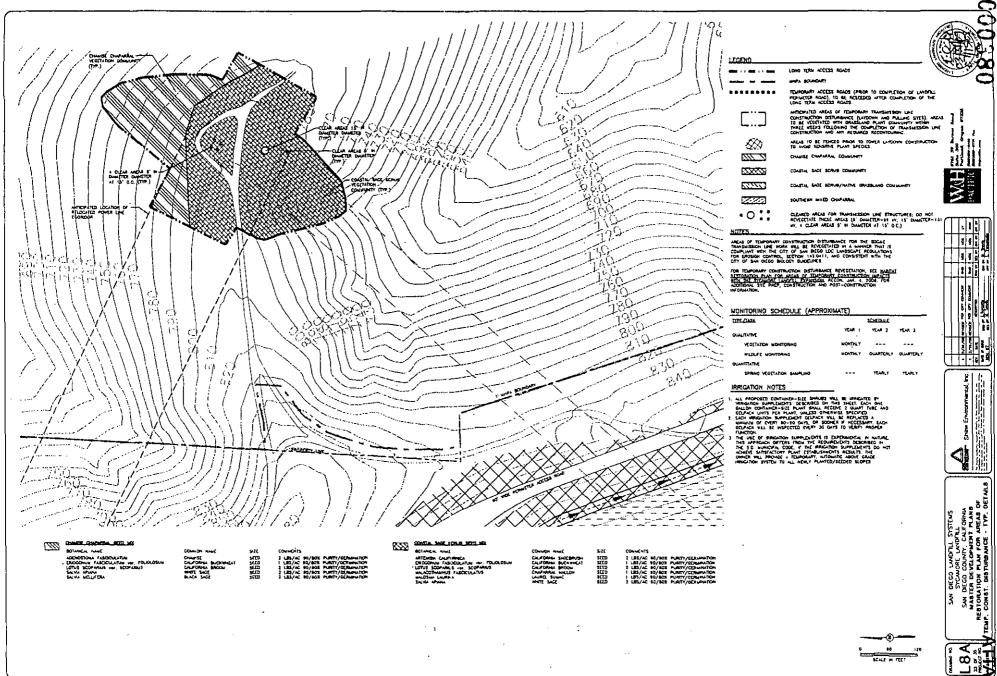
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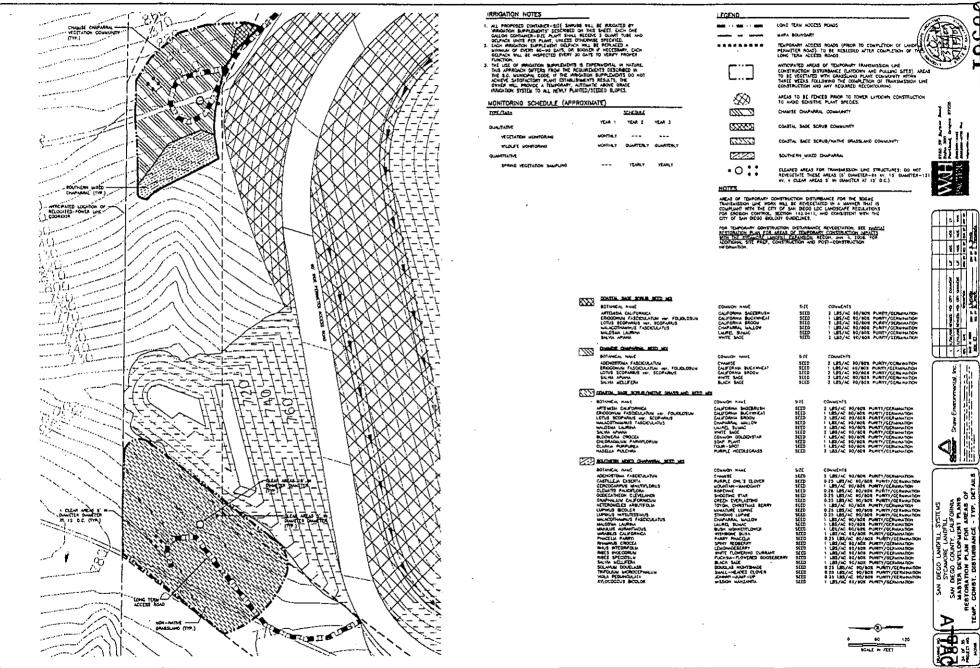
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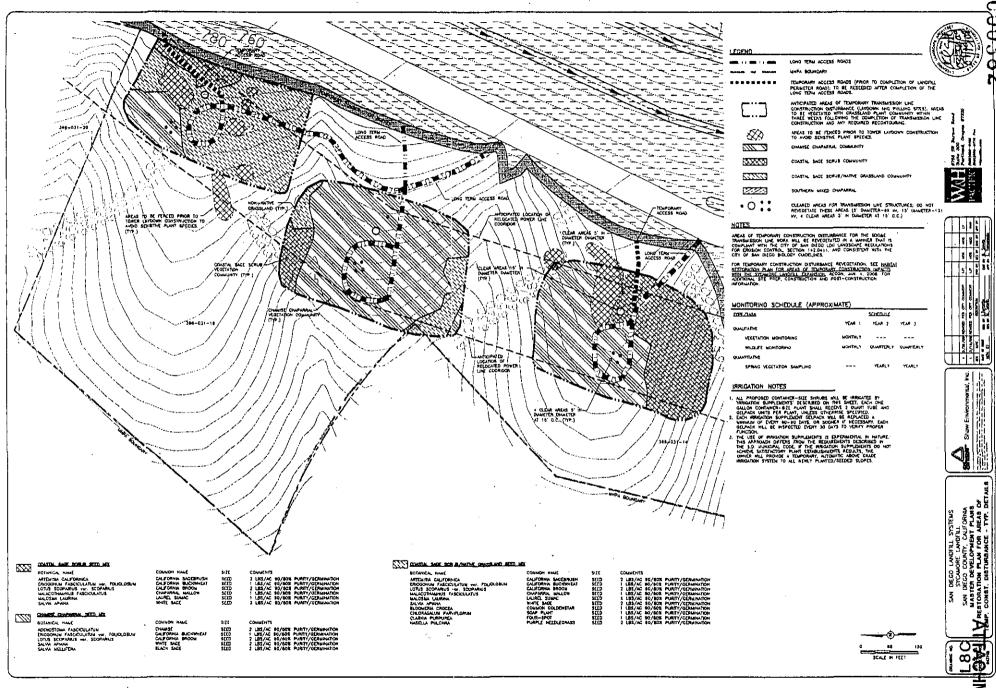




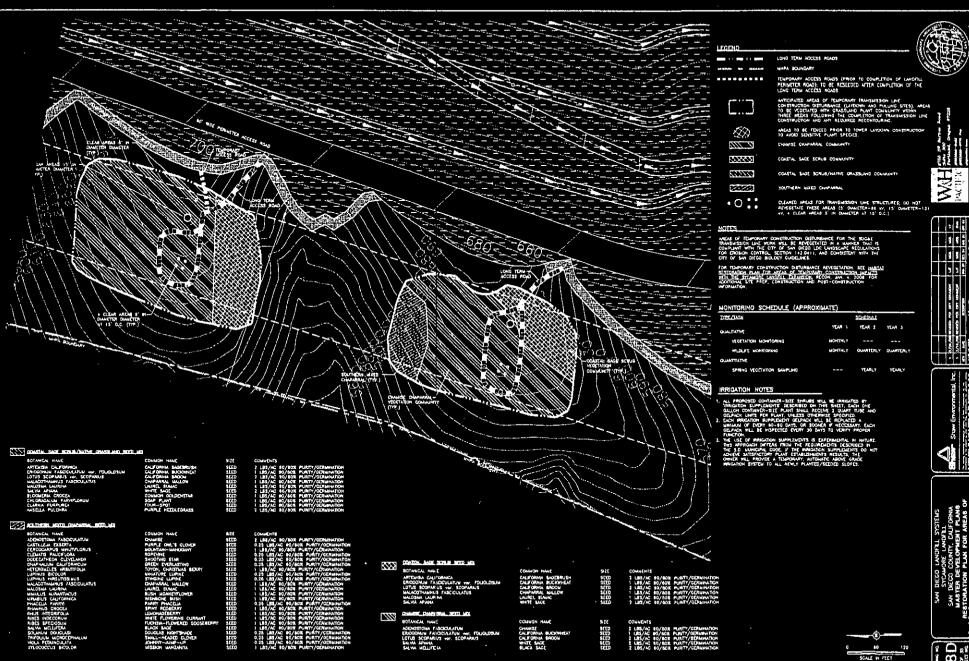


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FOR TOMORARY CONSTRUCTION DISTURBANCE REVEGETATION, SEE HOSTAL RESTORATION FLAN FOR MEAN OF TOMORDERS CONSTRUCTION MEANTS BITE BY STCARORY LANGES LEVELSHIP RECON, AM. 9, 7008 FOR ACCITIONAL STEEL FAITY, CONSTRUCTION AND POST-CONSTRUCTION

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RECORDING REQUESTED BY

CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO CITY CLERK MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 421084

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SITE DEVELOPMENT PERMIT NO. 9310
PLANNED DEVELOPMENT PERMIT NO. 9309
SYCAMORE LANDFILL MASTER PLAN - PROJECT NO. 5617 (MMRP)
AMENDMENT TO DEVELOPMENT PERMIT NOS. 40-0765, 6066-PC, 6066-PC
AMENDMENTS 1&2, AND 10-64-0
CITY COUNCIL

This Site Development Permit No. 9310 and Planned Development Permit No. 9309 to amend prior permits is granted by the City Council of the City of San Diego to Sycamore Landfill, Inc., a California Corporation,, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0504 and 126.0604. The 517 acre site is located at 8514 Mast Boulevard in the in the AR-1-2 and RS-1-8 Zones which are proposed to be rezoned to the IH-2-1 Zone; and the Mission Trails Design District Overlay zone. The project site is legally as Portions of Lots 3,4.9 and 10 of the resubdivision of part of Fanita Rancho, Map No. 1703, and a portion of Lot 73 of Rancho Mission, 330, and All that real property relinquished to the City of San Diego per document recorded March, 6, 2008 as Document No. 2008-0117850 of Official Documents Excepting Easement Parcels 26202-2, 26202-2, 26204-4, 26203-2, 26429-2, and 26429-3 all as shown on State Highway Map No. 307 dated March 7, 2001 as File/Page No. 2001-0129708 of Official Documents.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to continue to operate the existing Sycamore Landfill, with an increase in daily trips from the previous limit of 620 trucks per day increasing in phases over time to a maximum of 6,880 average daily trips through the landfill closure, the timing of which depends primarily on the amount of municipal solid waste generated in the region requiring disposal. In addition, permission is granted to Owner/Permittee to operate up to 24 hours a day, seven days a week. This permit also allows the Owner/Permittee to relocate the scale area and the administrative office, landscape the entrance, relocate the existing transmission line, add a citizen's convenience drop-off and relocated recycling center, and construct a maintenance facility and a perimeter access road. This permit allows the Owner/Permittee to continue to process green/wood

CG0386 ATTACHMENT 6

materials for alternative daily cover and/or beneficial reuse, and to continued aggregate processing operations within its boundaries. The permit also allows the Owner/Permittee to process construction and demolition (C&D) debris. In the future, composting also may be initiated at the landfill subject to subsequent environmental review at the time of compost project application. When implemented, the Master Plan development will extend the capacity of this resource for municipal solid waste management in the San Diego metropolitan area by 86 mcy, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated XXXX, on file in the Development Services Department.

The project shall include:

- a. A solid waste landfill site of approximately 517 acres, an increase over the existing landfill site of approximately 26 acres;
- b. Increase in permitted traffic to 6,880 ADT, subject to traffic mitigation requirements;
- c. Transmission line relocation;
- d. Continued Excavation of approximately 35-40 million cubic yards of native material, some of which shall be processed to produce commercial aggregate and exported as approved by PDP/SDP 40-0765;
- e. Construction of new permanent maintenance and operations/office facilities, relocated scales, public drop-off facilities for refuse and recyclables, expanded landfill gas management and power generation facilities, a new water storage tank for dust suppression and fire control, a new/relocated fueling facility and surface water management structures including utilities;
- f. Initiation of enhanced green/wood material processing operation to assist local governments in diverting additional organic material from the landfill waste stream;
- g. Initiation of construction and demolition (C&D) materials processing for recovery;
- h. Construction of a perimeter access road and landscaping of the entrance;
- i. Brushing and clearing of the portions of the site not yet cleared and where landfilling and construction of landfill ancillary facilities are anticipated by this permit;
- j. Continued operations of the existing aggregate processing facility. The hours of operation of the aggregate processing shall be the same as they are under the existing project; namely, 6:00 a.m. 4:30 p.m. Monday through Friday, and 6:00 a.m. 4:00 p.m. Saturday and Sunday;

- k. Up to 24 four hours of landfill operations (receiving and processing waste), seven days a week;
- 1. Deviations to development regulations as outlined in this permit;
- m. Landscaping (planting and landscape related improvements); and
- n. Accessory improvements determined by the City to be consistent with the land use and development standards in effect for this site per the adopted Community Plan, California Environmental Quality Act guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

- 1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.
- 2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services
 Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
- 3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.
- 4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
- 5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
- 6. This Planned Development Permit/Site Development Permit amends PDP/SDP 40-0765 and supersedes CUP No. 6066-PC, CUP No. 6066-PC AM-1, and CUP No. 6066-PC AM-2; and CUP 10-640-0 ("Prior CUPs"). The permit governing the electrical power use of methane gas, CUP 83-0789, is not a part of this amended PDP/SDP.

CCCCC ATTACHMENT 6

7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

- In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the ESA and by the California Department of Fish and Game [CDFG] pursuant to Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, as described in accordance with Section 17.1D of the IA.
- 9. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
- 10. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.
- 11. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the

CCO389 ATTACHMENT 6

proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

- 12. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.
- 13. This Permit may be developed in phases. Each phase shall be constructed prior to sale or lease to individual owners or tenants to ensure that all development is consistent with the conditions and exhibits approved for each respective phase per the approved exhibit "A."

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

- 14. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project
- 15. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in Environmental Impact Report No. 5617, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.
- 16. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Environmental Impact Report No. 5617, satisfactory to the Development Services Department and the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Land Use/Multiple Species Conservation Program Landform Alteration/Visual Quality Biological Resources Traffic/Circulation Paleontological Resources

Noise Air Quality

17. Prior to issuance of any construction permit, the Owner/Permittee shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

LANDSCAPE REQUIREMENTS:

- 18. Prior to issuance of construction permits for grading of the ancillary facilities or transmission line structures, the Permittee or Subsequent Owner shall submit landscape construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the Land Development Manual Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit; including Environmental conditions; Habitat Restoration Plans, and Relocation Plans, and Exhibit 'A,' on file in the Office of the Development Services Department.
- 19. Prior to issuance of construction permits for public right-of-way improvements, the Permittee or Subsequent Owner shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall take into account a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.
- 20. In the event that a foundation only permit is requested by the Permittee or Subsequent Owner, a site plan or staking layout plan shall be submitted identifying all landscape areas consistent with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'
- 21. Prior to issuance of any construction permits for buildings including shell, the Permittee or Subsequent Owner shall submit complete landscape and irrigation construction documents consistent with the Land Development Manual, Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department.
- 22. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Permittee or Subsequent Owner to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.
- 23. The Permittee or Subsequent Owner shall maintain all landscape in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

24. The Permittee or Subsequent Owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual, Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by the Development Services Department.

- 25. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Permittee or Subsequent Owner is responsible to repair and/or replace any landscape in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to a Certificate of Occupancy or a Final Landscape Inspection.
- 26. Prior to issuance of construction permits for grading, the Permittee or Subsequent Owner shall ensure that all proposed landscaping, especially landscaping adjacent to native habitat and/or MHPA, shall not include exotic plant species that may be invasive to native habitats. Plant species found within the California Invasive Plant Council's (Cal-IPC) Invasive Plant Inventory and the City of San Diego's Land Development Manual, Landscape Standards are prohibited.
- 27. Construction Documents for grading shall include the following note: "Installation of landscaping associated with these construction documents shall require a minimum short-term establishment period of 120 days for all native/naturalized slope restoration and a minimum long-term establishment/maintenance period of 25 months. Final approval of the required landscaping shall be to the satisfaction of the Mitigation Monitoring Coordination section of the Development Services Department.
- 28. Prior to issuance of any grading permit that includes slope restoration, the Permittee or subsequent Owner shall enter into a Landscape Establishment/Maintenance Agreement (LEMA) to assure long-term establishment and maintenance of the slope and restoration areas. The LEMA shall be approved by the Landscape Section of Development Services and the City Manager. The agreement shall commence prior to release of the performance bond with Permittee or subsequent Owner posting a new bond to cover the terms of the agreement.
- 29. During landfill operations, following approval of a revised Solid Waste Facilities Permit by the Local Enforcement Agency that permits the Master Plan, visible south and east facing graded areas not planned to be active for six months shall be planted within one month of grading using native, drought-tolerant plant material listed in the approved Landscape Development Plan in Exhibit A." Drainage and erosion control shall be in accordance with landfill design and operating standards and controls as required by Title 27, California Code of Regulations (27 CCR).
- 30. Noise and view-blocking barrier berms 15 to 20 feet high above the elevation of the landfill active working area shall be constructed between the active working area, and the adjacent MHPA lands, if the landfill working areas are within 1,600 feet of the MHPA boundary, and if they are at an elevation at or above the adjacent natural ridgeline (visual and noise). The berms

shall be constructed of solid waste and/or soil, with an outer, interim cover of soil, and covered with mulch promptly following berm construction.

- 31. The landfill slopes expected to be inactive for six months or more shall be seeded and mulched. The berm on the eastern side of the landfill shall be constructed of soil and rock, and not of waste.
- 32. The disturbed areas shall be revegetated with native plant species once the specific areas are ready to be closed pursuant to the Closure Plan.

BRUSH MANAGEMENT PROGRAM REQUIREMENTS:

- 33. The Permittee or Subsequent Owner shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit 'A', Brush Management Plan, on file in the Office of the Development Services Department.
- 34. Prior to issuance of any construction permits for grading, Landscape Construction Documents required for the construction permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit 'A.'
- 35. Prior to issuance of any construction permits, a complete set of Brush Management Construction Documents shall be submitted for approval to the Development Services Department and the Fire Marshall. The construction documents shall be in substantial conformance with Exhibit 'A' and shall comply with the Uniform Fire Code, M.C. 55.0101; the Land Development Manual, Landscape Standards; and the Land Development Code, Landscape Regulations Section 142.0412 (Ordinance 19413).
- 36. The Brush Management Program shall implement one modified Zone One consistent with the Brush Management Regulations of the Land Development Code Section 142.0412(i) as follows: The administrative building shall have an expanded Zone One of 100 feet.

<u>PLANNING/DESIGN REQUIREMENTS:</u>

- 37. No fewer than forty-five (45) off-street parking spaces (sixty-three will be provided) shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.
- 38. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
- 39. **[OPTIONAL]** Prior to submitting building plans to the City for review, the Owner/Permittee shall place a note on all building plans indicating that an avigation easement

has been granted across the property to the airport operator. The note shall include the County Recorder's recording number for the avigation easement.

- 40. The following deviations to development regulations:
 - 1) Deviation from LDC Section 131.0665 to provide a 450 square foot indoor eating area where a 2,000 square foot outdoor eating and/or recreation facility is required.
 - 2) Deviation from LDC Section 143.0141 to impact sensitive biological resources (wetlands).
 - 3) Deviation from LDC Section 143.0142 to exceed the allowable development area of the premises where steep hillsides are present.
- 41. All signs associated with this development shall be consistent with sign criteria established by City-wide sign regulations.
- 42. This Planned Development Permit allows the current use and proposed use in accordance with SDMC section 143.0403(a)(1). Unlawful uses on any portion of the premises shall be terminated or removed as a requirement of the Planned Development Permit.
- 43. Any future requested amendment to this permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.
- 44. The maximum noise level created by the landfill disposal operations and aggregate processing shall not exceed 65 dB(A) CNEL at any time as measured at the property line. In addition, all feasible mitigation measures shall be implemented to preclude or, to the maximum extent practicable, limit, dust and/or odor nuisances from extending beyond the property line as a result of the operation of the landfill, including the aggregate processing facility.
- 45. The aggregate processing facility shall be limited to areas within the Master Plan boundary of the landfill at which disposal of municipal solid waste is allowed.
- 46. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located. In addition, lighting at the maintenance facility will be limited to security lighting, installed in compliance with City of San Diego lighting regulations (shielded, light not falling on MHPA areas). Outside lighting for the scales shall be shielded, directed downward and to the east, and shall be the minimum wattage needed to provide scales visibility. Landfill areas active at night shall be lighted with mobile lighting units, but direct view of these areas from areas of equal or lower elevation shall be screened by 15 feet to 20 feet high barrier berms. The lights shall be shielded and pointed toward the ground.
- 47. The existing citizen recycling area now near Mast Boulevard shall be removed. Portions of the former recycling area shall be regraded/revegetated.
- 48. The proposed transmission line relocation shall use non-specular (dulled finish) conductors.
- 49. Following construction of the electric transmission line relocation, temporary disturbance areas shall be revegetated.

50. Solid waste truckloads between 7:00 p.m. and 7:00 a.m. shall be limited to 1,295 per day and no more than 259 per hour. Prior to the issuance of any construction permits, including but not limited to the first Grading Permit, Demolition Plans/Permits, and Building Plans/Permits, the ADD Environmental Designee of the City's LDR Division shall verify that the following statement is shown on the applicable grading and/or construction plans as a note under the heading *Environmental Requirements*: "Sycamore Landfill Master Plan Development is subject to the Mitigation, Monitoring, and Reporting Program and shall conform to the mitigation conditions as contained in the Environmental Impact Report No. 5617/SCH 2003041057.

- 51. Any material disposed on any portion of the site shall be restricted to municipal solid waste as approved by the California Integrated Waste Management Board and the Regional Water Ouality Control Board.
- 52. Adequate provisions shall be made to prevent surface flooding of the site by water from outside the site.
- 53. Burning shall not be permitted on the site.
- 54. Water shall be provided for control of dust and hot materials.
- 55. A fence shall be so constructed as to be capable of preventing the dispersion of paper and other materials from littering the surrounding area, with a lockable gate provided.
- 56. Prior to use, access road and plant operating area roads shall be oiled, paved, or otherwise dust-proofed and maintained as required by the Air Pollution Control Officer of San Diego County for dust control.
- 57. Dust control methods shall be applied to any dust-producing condition which may develop and result in a nuisance from this operation, as determined by the Air Pollution Control Officer of San Diego County.
- 58. Prior to final approval of a building permit, the property shall be provided with facilities approved by the San Diego Department of Public Health, as follows:
 - a. A potable water supply;
 - b. Proper sanitary facilities, including toilet and hand-washing facilities for employees working on the premises. These facilities shall be installed in conformance with the laws applicable thereto.
- 59. Any ponds or surface waters shall be maintained in such a manner as to prevent the development of a pest nuisance.
- 60. The construction and operation of the proposed use shall comply at all times with the regulations and requirements of this and other governmental agencies.

TRANSPORTATION REQUIREMENTS

61. The existing landfill scales shall be relocated to an area approximately 3,200 feet from the landfill entrance at Mast Boulevard.

62. Prior to the first phase of the expansion (maximum of 1,250 tickets/3,040 average daily trips (ADT), the applicant shall provide a mitigation monitoring program with an annual traffic information summary to ensure the ticket counts, numbers of trucks, daily trips, trips per hour and tons per day are within the limits of operation to the satisfaction of the City Engineer. Copies of the annual report shall be provided to Caltrans, the City of Santee and City of San Diego DSD Traffic.

On a quarterly basis, the applicant shall report to the City Engineer peak-period a.m. and p.m. tickets by hour and by day, and provide tickets per hour and inbound trips per hour for a representative day during each of the reporting months. If measures to reduce trips or tickets under condition 3 were implemented during the month, the monthly report shall describe what measures were implemented, and what effect, if any, they had on the trips or tickets being monitored, to the satisfaction of the City Engineer.

- 63. The applicant shall not exceed the following hourly operations to the satisfaction of the City Engineer
 - a.m. Peak (7:00 a.m. to 9:00 a.m.) 104 tickets per hour; 132 inbound trips per hour;
 - p.m. Peak (4:00 p.m. to 7:00 p.m.) 44 tickets per hour; 56 inbound trips per hour.
- 64. Prior to the first phase of expansion (maximum of 1,250 tickets/3,040 average daily trips not assuming a conversion for Passenger Car Equivalence (PCE) of 2, the applicant shall provide the following transportation mitigation measures to the satisfaction of the City Engineer: widen the intersection of Mast Boulevard and the Project's access point/West Hills Parkway to include dual eastbound left turn lanes.
- 65. Prior to increasing landfill tickets above the 620 tickets per day now allowed, the applicant shall provide a fair share contribution to Caltrans to widen SR-52 west of Mast Blvd. (Managed Lanes Project), working with the City of San Diego and Caltrans to implement the appropriate payment, to the satisfaction of the City Engineer.
- 66. Prior to the second phase of the expansion (maximum of 1,900 tickets /5,270 ADT not assuming a conversion for PCE of 2), the applicant shall provide the following transportation mitigation measures to the satisfaction of the City Engineer: widen Mast Boulevard to six lanes from the SR-52 interchange to east of the project's access point/West Hills Parkway to the satisfaction of the City Engineer.
- 67. Prior to the second phase expansion to 1,900 tickets 5,270 ADT (not assuming conversion for PCE of 2), the applicant shall widen the intersection to include a westbound right turn lane, a northbound through lane, a southbound left turn lane, southbound dual right turn lanes, a westbound through lane, and an eastbound through lane to the satisfaction of the City Engineer.

68. Prior to the applicant's expansion to 2,150 tickets/ 5,942 ADT (not assuming conversion for PCE of 2), the applicant shall document that the Caltrans Managed Lanes Project on SR-52 (six lanes, plus two high-occupancy lanes) is assured between I-15 and SR-125, to the satisfaction of the City Engineer.

- 69. To reduce traffic impacts to State Route 52 during peak periods SLI shall implement the following Transportation Demand Management Plan (TDMP). Prior to the first phase of the expansion (maximum of 1,250 tickets/3,040 average daily trips (ADT), SLI shall monitor and report the tickets as required by MM 4.4.5b. If peak-period tickets exceed the levels set forth in MM 4.4.5c more than five percent of the time in a given month, SLI shall take action to reduce landfill peak-period traffic by implementing one or more of the following steps in subsequent months:
 - Reduce deliveries by vendors during a.m. and/or p.m. peak periods.
 - Revise employee hours to allow commutes outside a.m. and/or p.m. peak periods.
 - Implement a.m. and/or p.m. peak-period disposal pricing measures.
 - Prohibit self-haul trash disposal during a.m. and/or p.m. peak periods.
 - Adjust transfer vehicle deliveries during a.m. and/or p.m. peak periods.
 - Convene a meeting of the TDMP Committee to consider other possible traffic management issues.

WASTEWATER REQUIREMENTS:

- 70. The property owner shall sign and record an agreement against their property to connect to sewer within thirty (30) days after such public sewer system becomes available.
- 71. All on site sewer facilities shall be private.
- 72. The developer shall design and construct all proposed public sewer facilities in accordance with established criteria in the most current edition of the City of San Diego sewer design guide. Proposed facilities that do not meet the current standards shall be redesigned or private.
- 73. Prior to the issuance of any building permits, the developer shall assure, by permit and bond, the design and construction of all public sewer facilities necessary to serve this development.
- 74. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check. In addition, the developer shall submit calculations, satisfactory to the Metropolitan Wastewater Department Director, for sizing of the proposed sewer lateral from the property line to its connection with the public sewer main.

COO397 ATTACHMENT 6

WATER REQUIREMENTS:

75. Prior to the issuance of any engineering permit, including grading, the Owner/Permittee shall provide evidence to the Development Project Manager indicating that approval has been obtained from the Padre Dam Municipal Water District for water service to the site.

76. Prior to the final inspection of any engineering or building permit, the Owner/Permittee shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code §66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the City Council of the City of San Diego on [date and resolution number].

Permit Type/PTS Approval No.: SDP 9310/PDP 9309 Date of Approval:

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

Mike Westlake
TITLE: Program Manager

NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq.

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

SYCAMORE LANDFILL, INC., a California Corporation
Owner/Permittee

y_____NAME TITLE

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.

Resolution for Approving/Denying Permits

(R-XXXX)

RESOLUTION NUMBER R-XXXX

ADOPTED ON XXXX

WHEREAS, SYCAMORE LANDFILL, INC., Owner/Permittee, filed an application with the City of San Diego for a Site Development Permit (SDP) No. 9310 and Planned Development Permit (PDP) No. 9309 to expand the capacity, footprint and height of the existing Sycamore Landfill; add or modify ancillary facilities including sedimentation basins, an equipment maintenance facility, perimeter access road, scales and recycling area, and administrative offices; relocate an SDG&E transmission line; continue processing green/wood materials for alternative daily cover and/or beneficial reuse; process construction and demolition (C&D) debris; continue excavation and processing of aggregate materials and change the landfill hours of operation known as the Sycamore Landfill Master Plan project, located at 8514 Mast Boulevard, and legally described as Portions of Lots 3,4.9 and 10 of the resubdivision of part of Fanita Rancho, Map No. 1703, and a portion of Lot 73 of Rancho Mission, 330, and All that real property relinquished to the City of San Diego per document recorded March, 6, 2008 as Document No. 2008-0117850 of Official Documents Excepting Easement Parcels 26202-2, 26202-2, 26204-4, 26203-2, 26429-2, and 26429-3 all as shown on State Highway Map No. 307 dated March 7, 2001 as File/Page No. 2001-0129708 of Official Documents, in the East Elliot Community Plan area, in the AR-1-2 and RS-1-8 Zones which are proposed to be rezoned to the IH-2-1 Zone; and the Mission Trails Design District Overlay zone; and

WHEREAS, on XXXXX, the Planning Commission of the City of San Diego considered SDP No. 9310 and PDP No. 9309, and pursuant to Resolution No. XXXX-PC voted to recommend City Council approval of the permit; and

WHEREAS, the matter was set for public hearing on XXXX, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to SDP No. 9310 and PDP No. 9309:

Findings for Site Development Permit Approval - Municipal Code Section 126.0504

- 1. Findings for all Site Development Permits:
- a. The proposed development will not adversely affect the applicable land use plan.

The project would not adversely affect the applicable land use plan. The City first permitted the Sycamore Landfill under Conditional Use Permit No. 6066 (CUP) in 1963. The 1971 Elliott Community Plan (now the East Elliott Community Plan or herein referenced as the "Community Plan") recognized the landfill use and designated the site for solid waste disposal. In 1977, the City Council amended the Community Plan and the CUP to increase the landfill site designation to 491 acres. As part of the project, another approximately 26 acres outside the boundaries of the existing approved Sycamore Landfill parcels is proposed to be redesignated as landfill. These new areas are adjacent to the existing landfill parcels or to the existing landfill access road. Once the proposed amendment to the Community Plan and the General Plan is approved, the land uses at the landfill site would be consistent with the Community Plan and the General Plan. Moreover, the proposed project is consistent with all applicable Community Plan as well as the General Plan goals, objectives or recommendations.

The proposed project also is consistent with the Multiple Species Conservation Program/City of San Diego MSCP Subarea Plan. The approved landfill parcels are not within the MHPA, but adjacent to it. As part of the Master Plan, approximately 14.6 acres of sensitive habitat within the MHPA would be permanently disturbed by landfill Master Plan development for either landfill activities, ancillary facilities or transmission line relocation. However, all of these impacts would be mitigated in accord with the City's Biological Guidelines. The proposed Master Plan complies with the MSCP Subarea Plan, including its Adjacency Guidelines. The proposed project would fully mitigate its impacts to the habitats, wildlife movements, preserve conservation and management of the MHPA. Thus, the proposed project is consistent with the applicable land use plans.

b. The proposed development will not be detrimental to the public health, safety, and welfare.

The proposed development, as currently designed, would not be detrimental to the public health, safety or welfare. The proposed project is a Master Plan to allow an area already approved for use as a solid waste disposal facility to be developed in a way that efficiently provides solid waste capacity for the City of San Diego as envisioned by a 1999 Franchise Agreement. The Master Plan expands the already approved landfill site by only 26.04 acres. The project would extend the life of this centrally located facility with minimal additional expansion of the already existing footprint. The Master Plan would provide for an increase in daily tonnage of municipal solid waste from the current limit of 3,965 tons per day to up to 13,000 tons per day in 2025, subject to limits in the Franchise Agreement as it may be amended from time to time. The proposed expansion would also involve relocating approximately one mile of electric power transmission line corridor that crosses the existing site, and approval of increased operating hours to up to 24-hour a day operations. Moreover, the project would clarify the public property records by means of a consolidation map which clarifies which of certain easements were Abandoned by Public Act in 1974, and offers to dedicate alternate easements. The proposed project, including the associated development of roadways, drainage infrastructure, open space preservation, etc., has been designed to conform to the City of San Diego's codes, policies, and regulations, the primary focus of which is the protection of the public's health, safety, and welfare. The project has been reviewed by City staff, and after approval of the amendment to the Community Plan and General Plan is consistent with the Community Plan and General Plan; the California Environmental Quality Act and the City's environmental regulations; the Multiple Species Conscrvation Program (MSCP) and Multi-Habitat Planning Area (MHPA); landscaping and brush management policies, the Fire Department's fire protection policies, and all other applicable public health, safety and welfare rules and regulations, as well as all permit. conditions imposed by the San Diego Air Pollution Control District, the California Integrated Waste Management Board, the Local Enforcement Agency, the Regional Water Quality Control Board, and other oversight boards and commissions. These permit conditions also help ensure that the project would not be detrimental to the public health, safety or welfare.

No sensitive human receptors are located close to the existing landfill disposal area - the nearest school (West Hills High School) is situated 3,000 feet southeast of the landfill boundary. The closest residential development is approximately 3,500 feet east and south of the site. Other residential developments have been proposed 2,200 feet east of the landfill boundary (Castlerock), and 7,900 feet west of the boundary (Military Family Housing Site 8, MCAS/Miramar). Sycamore Landfill operates under existing Permit No. 971111 issued by the County of San Diego Air Pollution Control District (APCD). The current operational permit allows no releases of odors or dust from any part of the landfill, associated landfill operations or on-site equipment that exceed the applicable visible emission or public nuisance standards specified in the APCD rules and regulations. The project health risk assessment found that all public health risks for all potential health risk pathways at all sensitive receptors would be less than applicable adopted public health risk thresholds. The project incorporates a liner system to protect groundwater, and monitoring wells to confirm the effectiveness of the liner system.

COO402 ATTACHMENT 7

No area of the project site is within a 100-year floodplain, so flood hazards are not present on the site. The project would not result in undue risks from geological hazards, erosional forces or fire hazards. The landfill is regulated by the State Water Resources Control Board's Water Quality Control Plan Report for the San Diego Basin. The Basin Plan designates beneficial uses, water quality objectives, and prohibitions applicable to the discharges regulated under Order No. 99-74, Waste Discharge Requirements for Sycamore Landfill, adopted October 13, 1999. These regulations and conditions, or subsequent modifications by the Board, would continue to be applicable to Sycamore Landfill, and with compliance as required, no significant impact to water quality would occur. The landfill implements run-on/runoff controls and other surface water best management practices (BMPs) such as desilting basins to reduce off-site erosion/siltation effects to below a level of significance. The Sycamore Landfill has a National Pollution Discharge Elimination System (NPDES) permit which addresses storm water management complete with a storm water pollution prevention plan. In addition, the project health risk assessment for air emissions that was completed for the Master Plan concluded that all public health risks for any potential health risk pathways at all sensitive receptors would be less than the applicable adopted public health risk thresholds, therefore there is no public health risk as a result of the approval of the Master Plan.

None of the proposed changes to the landfill design or operation would require the need for new or altered governmental services. With implementation of the air quality mitigation measures listed in the Environmental Impact Report (EIR), none of the activities proposed as part of the project would create a health hazard or potential health hazard.

In summary, the proposed project would not be detrimental to public health, safety or welfare; in fact, it would have a net beneficial effect to the public health, safety and welfare because it would provide a modern municipal solid waste disposal facility in which to dispose of the waste generated by the City and its residents and businesses.

c. The proposed development will comply with the applicable regulations of the Land Development Code.

The proposed project has been designed to comply with all development regulations of the San Diego Municipal Code and the City's Land Development Code, including the requirements for a site development permit to protect, preserve and, where damaged, restore environmentally sensitive lands, as further discussed below. Implementation of the proposed project would comply with the Municipal Code and the findings for deviations are more fully described in the Supplemental Findings below.

2. Supplemental Findings—Environmentally Sensitive Lands – Municipal Code Section 126.0504(b)

These supplemental findings under San Diego Muncipal Code Section 126.0504(b) are necessary because the Master Plan would result in impacts to environmentally sensitive lands. Specifically, the project would result in long-term or permanent impacts to approximately 38.66 acres of native upland habitat and 0.09 acres of ESL wetlands. Of that

COO403 ATTACHMENT 7

amount, approximately 11.97 acres of sensitive upland habitat land within the MHPA are proposed for development for landfill, ancillary facility or transmission line purposes.

a. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

For the reasons set forth below, the Sycamore Landfill Master Plan site is physically suitable for the design and siting of the proposed development, and the project would result in minimal disturbance to environmentally sensitive lands. The Sycamore Landfill Master Plan has been designed to work with the natural environment, and take advantage of the location of the already existing landfill to minimize impacts to the environment.

The site is physically suitable for the design and siting of the proposed development, as evidenced that this location has been the site of a municipal solid waste landfill for more than 44 years. Sycamore Landfill initially was approved in this location by the City of San Diego in 1963 (CUP 6066 PC). The present site was approved for expansion for landfill purposes by the City of San Diego in 1974 (CUP 6066 PC - Amendment 1). Later, CUP 6066 PC-Amendment 1 approved a conceptual landfill plan filling all of Little Sycamore Canyon within the current landfill parcels (Exhibit A, CUP 6066 PC-Am). The current Staged Development Plan for the entire site was approved by the California Integrated Waste Management Board, the LEA and the RWQCB in 1994.

The development would result in minimum disturbance to environmentally sensitive lands as it has been in continuous use as the site for a municipal solid waste (MSW) landfill since the 1960s. There are no 100-year floodplains, coastal beaches, or coastal bluffs located on the project site. Continued landfill development, landfill ancillary facilities, and transmission line relocation at the site would permanently remove the minimum amount of biological habitat necessary to implement the proposed landfill design in a way designed to effeciently achieve municipal solid waste disposal capacity for the City's current and future needs. The biological impacts would be mitigated in accordance with the mitigation ratios in the City's Biological Guidelines and the MSCP. The area of steep slopes at the landfill site that would be excavated and which subsequently would be covered with municipal solid waste would be kept to the minimum necessary to safely implement the proposed landfill design.

Relocation of the transmission line that currently bisects the landfill site would result in minimum disturbance of environmentally sensitive lands, as required for transmission structure foundation areas, adjacent clear areas, and spur access roads. The biological impacts to these habitats would be mitigated in accordance with the mitigation ratios in the City's Biological Guidelines. The temporary impacts would be mitigated by reseeding the areas disturbed by construction activities with native plant species appropriate to the habitat disturbed. The project would not preclude the use of any identified major wildlife corridors within the area.

Impacts to wetlands as defined by the Municipal Code would be limited and would be fully mitigated per City regulations]. Impacts to wetlands as defined by the State of California

would be limited to the minimum necessary and would be fully mitigated per California Department of Fish and Game regulations.

b. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

The project footprint has been located to minimize alterations to natural land forms and to ensure that the project would not result in undue risk from geologic and erosional forces, flood or fire hazards. The location of the Master Plan within an already approved landfill site minimizes the land form alteration that any municipal solid waste landfill would require. Moreover, the design for the Sycamore Landfill was first approved by the City by CUP 6066 PC/Am, and that approval allowed the filling of much of Little Sycamore Canyon. The proposed project substantially increases the capacity for municipal solid waste disposal over the existing landfill but only minimally increases the land form alteration required.

The approval for the landfill preceded the City's regulation of steep hillsides, and the exising landfill already has already graded or is approved to grade more than 25% of the steep slopes that originally existed on the property. As a result, even though the additional grading is minimal, strict compliance with steep hillside provisions of LDC sections 143.0150(b) and 126.0504 is not possible given the already approved landfill design. Accordingly, the project would require approval under the Alternative Compliance provisions of Section 143.0151 of the Municipal Code. The proposed 38.66 acres of new development plus 4.69 acres of temporary construction disturbance would comprise approximately 18.7% of the remaining undeveloped premises, and development of steep slopes would occur in 12.85 acres, or 5.5%, of those premises. The proposed development areas are located immediately adjacent to existing areas approved for landfill development, or to the existing landfill access road. Moreover, all feasible mitigation measures with respect to land form alteration and site design, including sensitive grading techniques, landscaping, and site planning, have been incorporated into the project.

The proposed project would not result in undue risk from geologic or erosional forces, flood or fire hazards. No moderate to large earthquakes have occurred within the greater San Diego area during historic times. The largest estimated ground acceleration at the site that would result from a Maximum Probable Earthquake (MPE) at the nearest active fault zones was calculated at 0.2 g. This would result from a magnitude 6.0 earthquake on the La Nacion fault, located approximately 7.25 miles southwest of Sycamore Landfill. There would be little or no likelihood of liquefaction, induced flooding, induced land subsidence, or major induced landslides from a major regional earthquake at the Sycamore Landfill site.

The site is not subject to any erosional forces that might preclude its use for landfill purposes. RWQCB Order No. 99-74 lists current Waste Discharge Requirements for Sycamore Landfill, and among other topics, addresses erosion control requirements. As part of the project permitting process, the Regional Water Quality Control Board (RWQCB) would issue a new order addressing specific water quality and erosion issues associated with the proposed Master Plan design and operation. One item of Order No. 99-74 requires that "annually, by October 31, the discharger shall implement adequate erosion control measures, maintenance

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and repair of the landfill cover, drainage control facilities and use soil stabilization practices on all disturbed areas of the landfill to prevent erosion or flooding of the facility and to prevent surface drainage from contacting or percolating through wastes." Similar requirements would be part of the new order from RWQCB.

Other required erosion control measures are listed in Order No. 99-74. Similar control measures would be part of the new order from RWQCB. In addition, the Sycamore Landfill has approval to operate under the California General Storm Water Permit for Industrial Discharges, which addresses storm water management complete with a Storm Water Pollution Prevention Plan. The landfill implements run-on/runoff controls and other surface water best management practices (BMPs) such as desilting basins to reduce off-site erosion/siltation effects to below a level of significance. Coverage of the facility under the new Master Plan would continue.

There is no undue risk of a flood hazard as a result of the project, since the site is not located in a flood hazard zone, according to FEMA Flood Insurance Rate Map 06073C1632F.

In general, the landfill site is not at undue risk from brush fires. The working areas of the landfill consist mostly areas of bare soil, with only a small working face where municipal solid waste is deposited for the day. That area is covered each day, and a new landfill cell is begun on the following day. Also, landfill employees are trained in operational procedures to be followed when dealing with hot loads and fires detected in operational areas. In the event that a waste load is received that is smoking or on fire, landfill personnel direct it to be unloaded in an unvegetated area away from the working face. Appropriate fire fighting activities are implemented immediately thereafter. A stockpile of soil to be used for fire fighting purposes is maintained near the working face.

Proposed new landfill ancillary facilities such as the administrative offices, scales/recycling area, and maintenance facilities area comply with City of San Diego brush management zone requirements. Water supplies to fight fires that may occur would be provided in accordance with City of San Diego fire regulations. Landfill vehicles, scale house, and maintenance area are equipped with suitable fire extinguishers for minor fire suppression. Evidence of landfill's resistance to brush fires was provided by the Cedar fire of October 2003. Although several hundred thousand acres of native habitat outside and inside the landfill site were burned as a result of that fire, the landfill, its ancillary facilities and equipment incurred little damage

c. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

The proposed project has been sited and designed to minimize its adverse impacts to adjacent environmentally sensitive lands, such as the MHPA, including controls on drainage, lighting, and nuisance species. The project would not conflict with habitat function, configuration or long-term viability of adjacent environmentally sensitive lands, nor would it cause significant edge effects. The proposed Master Plan would prevent or minimize potential adverse impacts to those adjacent environmentally sensitive lands by minimizing or avoiding impacts to sensitive plants within the MHPA lands to be disturbed; keeping new proposed areas of

COO406 ATTACHMENT 7

landfill development immediately adjacent to the approved areas of landfill development, thus avoiding potential habitat fragmentation and minimizing "edge effects"; keeping new proposed areas of landfill ancillary facilities adjacent to the existing landfill access road, thus avoiding potential habitat fragmentation and minimizing "edge effects"; complying with all City of San Diego MSCP Adjacency Guidelines; and avoiding potential operational noise and lighting impacts by conducting landfill operations behind 15 to 20-foot high berms located between operations and nearby MHPA boundaries where noted in the applicable mitigation measure. In addition, all manufactured slopes adjacent to undisturbed non-MHPA open space would be revegetated with native species upon landfill closure.

d. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

The proposed development would be fully consistent with the MSCP Subarea Plan and would mitigate for impacts to sensitive biological resources in accordance with the MSCP as well as with the City's Biological Guidelines.

e. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

The project would not contribute to the erosion of public beaches or adversely impact local shoreline sand supply. The Sycamore Landfill is located several miles from the public beaches and the local shorelines; therefore, it is highly unlikely based on distance alone that on-site development on the already existing landfill would contribute to erosion of public beaches or adversely impact local shoreline sand supplies. In addition, the project includes detention/desiltation basins on-site to reduce surface water runoff velocities to ensure that water runoff would not increase downstream siltation, contribute to the erosion of public beaches or adversly affect local shoreline sand supply.

f. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

The nature and extent of mitigation required as a condition of the PDP/SDP is reasonably related to and calculated to alleviate negative impacts created by the proposed Master Plan. The EIR included a site specific impact analysis for the proposed development and its impacts and associated mitigation measures. All mitigation measures identified in the EIR that are associated with this proposed development have been found to be feasible and calculated to minimize and if possible avoid negative impacts that otherwise would be created by the proposed development.

3. Supplemental Findings-Environmentally Sensitive Lands Deviations (Section 126.0504(c).)

The supplemental findings are necessary because the Sycamore Landfill Master Plan project does not fully comply with the development regulations prescribed by the City of San Diego Environmentally Sensitive Lands regulations. Specifically, the Master Plan cannot avoid

impacts to 0.09 acres of City of San Diego ESL-definition wetlands as required by Section 143.0141(b) of the Municipal Code or impacts to 0.49 acres of wetlands meeting California Dept. of Fish & Game definitions; impacts to land within the MHPA (see Section 131.0250(b)(2) of the Municipal Code); or impacts to steep slope lands in excess of provisions of Section 143.0142 of the Municipal Code.

Impacts to all environmentally sensitive lands would be mitigated in accordance with all applicable regulations and mitigation ratios.

a. There are no feasible measures that can further minimize the potential adverse effects on environmentally sensitive lands.

There are no feasible measures that can further minimize potential adverse effects on identified environmentally sensitive lands.

The sedimentation basins required as part of the project would impact 0.09 acres of ESLdefinition wetlands (mulefat scrub) located in the southern part of APN 366-041-01 (the existing landfill parcel located outside the MHPA), and in the eastern portion of APN 366-070-13, an MHPA parcel located immediately south of the landfill. In addition, the project would disturb 11.97 acres of MHPA upland habitats on a long-term, permanent basis (coastal sage scrub (6.41 acres), CSS/native grassland/non-native grassland (0.78 acres), CSS/native grassland (0.78 acres), Valley needlegrass grassland (0.42 acres), chamise chaparral (3.35 acres), non-native grassland (0.22 acres)). Finally, the project would have some unavoidable ** impact to steep slopes. The project has been designed to have the minimum impact on environmentally sensitive lands feasible, but due to regulatory, site and design constraints, the project cannot completely avoid certain impacts to environmentally sensitive lands, as further discussed below. All impacts to environmentally sensitive lands would be fully mitigated.

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The proposed Master Plan includes sedimentation basins required to capture soil particles washed from them by rainfall, and to minimize potential downstream sediment deposition. Such sedimentation basins, in order to utilize gravity flow, must be lower in elevation than the lowest area of landfill. The only area available that meets that definition is the area immediately south of the landfill area, within the Little Sycamore Creek ephemeral drainage. Thus, the only feasible location for the required sedimentation basins is that shown on the Master Plan.

The five scales associated with the proposed increase in waste disposal and the proposed recycling drop-off area also would impact 0.04 acre of unvegetated stream channel. There is no feasible alternative to the location of the scales that would avoid all impacts to wetlands and other environmentally sensitive lands. The scales must be located (i) between the landfill entrance and the landfill itself, (ii) in an area readily accessible to and from the landfill access road, and (iii) on at least four acres.

There is no other location on the site other than that proposed which meets the above requirements and would result in fewer impacts to environmentally sensitive lands. The proposed scales area has been carefully designed and placed to minimize impacts to such COO408 ATTACHMENT 7

lands, to minimize the intrusion into steep slopes and to minimize the required cuts. The proposed scales facilities are located immediately adjacent to the existing landfill access road; any other location would result in habitat fragmentation and increased "edge effects," and thus would result in greater impacts to environmentally sensitive lands than are caused by the proposed project.

There also would be long-term disturbance associated with the proposed transmission line relocation, which would result in the loss of 0.20 acres of sensitive habitat within the MHPA. Such disturbance would occur where the new structures are placed, and where access roads to the structure clusters are located. Of this area, 0.13 acres, or 65 percent, is chamise chaparral, a Tier IIIA habitat. The remaining impacts would be to coastal sage scrub (0.06 acres, 30%) and to CSS/native grassland (0.01 acres, 5%). Transmission line relocation would not impact any sensitive plant species, however, due to fencing and subsequent monitoring during construction.

Reduction in proposed capacity would require that a new landfill site for the region be identified, permitted, and developed sooner than would be required under the proposed Master Plan. Any such new landfill would likely have the same or more severe impacts to environmentally sensitive lands than those posed by the proposed Master Plan. The only alternative landfill sites identified within the City of San Diego, within ten miles of Sycamore Landfill, and not developed or surrounded by development are in Oak Canyon, located 1.5 miles west of the Sycamore Landfill site, and Upper Sycamore Canyon, located in San Diego near the City of Poway. These sites were identified in a 1990 study jointly conducted by the City and the County of San Diego (Dames & Moore, 1990). Potential landfills at these sites would have a waste capacity of 30-44 million cubic yards (mcy), much smaller than the additional 86 mey proposed in the Sycamore Landfill Master Plan. Oak Canyon is known to contain wetlands and other environmentally sensitive lands, and Upper Sycamore Canyon contains ephemeral drainages and environmentally sensitive lands, although wetlandsspecific evaluations have not been conducted. As a result, development of either of these two sites as a landfill would not reduce impacts to environmentally sensitive lands over that of the proposed project.

Any alternative design that would totally avoid impacts to the wetlands and other environmentally sensitive lands altogether would place the required sedimentation basins 600 feet or more farther north, within the area already approved by the City for landfilling at the existing Sycamore Landfill in PDP/SDP 40-0765 (2002). That would be inconsistent with the already approved landfilling operations, and would reduce the landfill waste capacity by at least 9.5 million cubic yards (mcy) (to fully avoid wetland impacts) or 24 mcy of landfill capacity, and the equivalent of 32 percent of the entire County's 2004 estimate of landfill capacity (Siting Element, CIWMP, May 2004) (to completely avoid the MHPA). A landfill design that avoids the 6.73 acres of MHPA to the northwest is shown in the EIR as the Reduced Footprint Alternative. While it would avoid those MHPA lands, it would result in a loss of approximately 24 mcy of landfill capacity, the equivalent of 32 percent of the entire County's 2004 estimate of landfill capacity (Siting Element, CIWMP, May 2004). Avoiding MHPA lands where the sedimentation basins and the scales/recycling areas are proposed in the Master Plan would result in the loss of an additional 19 mcy [Emcon/OWT, BRG, 2005].

C00409 ATTACHMENT 7

The avoidance of these impacts, then, would leave the County without adequate landfill capacity.

The applicant proposes to mitigate all impacts to wetlands in accordance with all applicable local, state and federal regulations. Mitigation amounts will comply with City of San Diego requirements, as listed in Mitigation Measure 4.2.12 of the EIR. That is, at least 0.58 acres of wetland mitigation will be provided for the disturbance of 0.49 acres of CDFG ephemeral drainages and Mule Fat scrub, as described in EIR Appendix C11. The mitigation would result in "no-net-loss" of wetlands. In addition, with the project, the impacts to the MHPA would be fully mitigated in accordance with the MSCP. Similarly, the project would mitigate all impacts to MHPA lands in accordance with all applicable City regulations. In essence, SLI will convey conservation easements on approximately 36.37 acres of MHPA lands to the City of San Diego, in exchange for the ability to develop approximately 38.66 acres. In addition, the applicant would convey 46.3 acres of gnatcatcher habitat in the MHPA for noise impacts along 29.36 acres of landfill access road. The total mitigation ratio would be greater than 2:1. There are no feasible additional mitigation measures that would further reduce the impacts.

The only apparent means of avoiding impacts to steep slopes would be to redesign the landfill to exclude steep slope areas located on the western side of the proposed project. A project alternative that would do so has been addressed in the Draft EIR (Reduced Footprint Alternative). While implementation of that alternative would avoid steep hillside lands, it would result in a loss of approximately 24 mcy of landfill capacity, approximately 20 years of service life for the landfill at current disposal volumes, or four years of service life for the landfill at ultimate disposal volumes, and the equivalent of 32 percent of the entire County's 2004 estimate of landfill capacity (Siting Element, CIWMP, May 2004). The capacity lost by avoiding the steep slopes would have to be provided elsewhere for the City's waste disposal, and any alternative location most likely would also have impacts to steep slopes. The only other alternative would be to haul the waste out of the region, at additional costs to the environment, as well as fiscal costs associated with reliance on an out-of-region facility.

b. The proposed deviation is the minimum necessary to afford relief from special circumstances or conditions of the land, not of the applicant's making.

Sycamore Landfill has operated for more than 40 years in this location, and the proposed design is the most efficient and least impactive means of providing the region with the required capacity for the County's anticipated municipal solid waste needs. Sycamore Landfill is an essential public facility, and to move to a new location would likely produce more impacts. Its proposed location is the location in which landfilling has been occuring since the 1960s, and the proposed project would better utilize the property with minimal increase in footprint. The deviation is due to the region's need for solid waste disposal capacity, and is not of the applicant's making. The 2004 San Diego County Integrated Waste Management Plan (CIWMP) Siting Element, prepared with the cooperation and approval of the City of San Diego, addressed the capacity of existing permitted landfills within the County of San Diego. State regulations (CCR 18755.3) require that each County or Regional Agency must identify disposal facilities that provide at least 15-years of remaining landfill capacity for that region. The 2004 San Diego CIWMP incorporated proposed Sycamore Landfill additional capacity projections of 162 million cubic yards or 116 million tons of

waste into projections for County-wide waste disposal facilities. While the additional 86 mcy capacity of the currently-proposed expansion is substantially less than that of the original proposal, it still represents, if approved, approximately 42 percent of all in-County disposal capacity. If landfilling according to the proposed plan is not allowed because the deviation is not approved, the result would be loss of planned County-wide solid waste disposal capacity, potential non-compliance with state solid waste regulations, and the need to site, permit, and develop one or more additional regional landfills years earlier than anticipated.

Findings for Planned Development Permit Approval - Municipal Code Section 126.0604

1. The proposed development will not adversely affect the applicable land use plan.

The project would not adversely affect the applicable land use plan. The City first permitted the Sycamore Landfill under Conditional Use Permit (CUP) No. 6066 in 1963. The 1971 Elliott Community Plan (now the East Elliott Community Plan, or herein referenced as the "Community Plan") recognized the landfill use and designated the site for solid waste disposal. In 1977, the City Council amended the Community Plan and the CUP to increase the landfill site designation to 491 acres. As part of the project, another approximately 26 acres outside the boundaries of the existing approved Sycamore Landfill parcels is proposed to be redesignated as landfill. These new areas are adjacent to the existing landfill parcels or to the existing landfill access road. Once the proposed amendment to the Community Plan and the General Plan is approved, the land uses at the landfill site would be consistent with the Community Plan and the General Plan. Moreover, the proposed project is consistent with all applicable Community Plan as well as the General Plan goals, objectives or recommendations.

The proposed project also is consistent with the Multiple Species Conservation Program/City of San Diego MSCP Subarea Plan. The currently approved landfill parcels are not within the MHPA, but adjacent to it. As part of the Master Plan, approximately 11.97 acres of sensitive habitat within the MHPA would be permanently disturbed by landfill Master Plan development for either landfill activities, ancillary facilities or transmission line relocation. However, all of these impacts would be mitigated in accord with the City's Biological Guidelines. The proposed Master Plan complies with the MSCP Subarea Plan, including its Adjacency Guidelines. The proposed project would fully mitigate its impacts to the habitats, wildlife movements, preserve conservation and management of the MHPA. Thus, the proposed project is consistent with the applicable land use plans, and therefore it would not adversely affect those plans.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The proposed development, as currently designed, would not be detrimental to the public health, safety or welfare. The proposed project is a Master Plan to allow an area already approved for use as a solid waste disposal facility to be developed in a way that efficiently provides solid waste capacity for the City of San Diego as envisioned by a 1999 Franchise Agreement. The Master Plan expands the already approved landfill site by only 26.04 acres.

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The project would extend the life of this centrally located facility with minimal additional expansion of the already existing footprint. The Master Plan would provide for an increase in daily tonnage of municipal solid waste from the current limit of 3,965 tons per day to up to 13,000 tons per day in 2025, subject to limits in the Franchise Agreement as it may be amended from time to time. The proposed expansion would also involve relocating approximately one mile of electric power transmission line corridor that crosses the existing site, and approval of increased operating hours to up to 24-hour a day operations. Moreover, the project would clarify the public property records by means of a consolidation map which clarifies which of certain easements were Abandoned by Public Act in 1974, and offers to dedicate alternate easements. The proposed project, including the associated development of roadways, drainage infrastructure, open space preservation, etc., has been designed to conform to the City of San Diego's codes, policies, and regulations, the primary focus of which is the protection of the public's health, safety, and welfare. The project has been reviewed by City staff, and after approval of the amendment to the Community Plan and General Plan is consistent with the Community Plan and General Plan; the California Environmental Quality Act and the City's environmental regulations; the Multiple Species Conservation Program (MSCP) and Multi-Habitat Planning Area (MHPA); landscaping and brush management policies, the Fire Department's fire protection policies, and all other applicable public health, safety and welfare rules and regulations, as well as all permit conditions imposed by the San Diego Air Pollution Control District, the California Integrated Waste Management Board, the Local Enforcement Agency, the Regional Water Quality Control Board, and other oversight boards and commissions. These permit conditions also help ensure that the project would not be detrimental to the public health, safety or welfare.

No sensitive human receptors are located close to the existing landfill disposal area - the nearest school (West Hills High School) is situated 3,000 feet southeast of the landfill boundary. The closest residential development is approximately 3,500 feet east and south of the site. Other residential developments have been proposed 2,200 feet east of the landfill boundary (Castlerock), and 7,900 feet west of the boundary (Military Family Housing Site 8, MCAS/Miramar). Sycamore Landfill operates under existing Permit No. 971111 issued by the County of San Diego Air Pollution Control District (APCD). The current operational permit allows no releases of odors or dust from any part of the landfill, associated landfill operations or on-site equipment that exceed the applicable visible emission or public nuisance standards specified in the APCD rules and regulations. The project health risk assessment found that all public health risks for all potential health risk pathways at all sensitive receptors would be less than applicable adopted public health risk thresholds. The project incorporates a liner system to protect groundwater, and monitoring wells to confirm the effectiveness of the liner system.

No area of the project site is within a 100-year floodplain, so flood hazards are not present on the site. The project would not result in undue risks from geological hazards, erosional forces or fire hazards. The landfill is regulated by the State Water Resources Control Board's *Water Quality Control Plan Report for the San Diego Basin*. The Basin Plan designates beneficial uses, water quality objectives, and prohibitions applicable to the discharges regulated under Order No. 99-74, Waste Discharge Requirements for Sycamore Landfill, adopted October 13, 1999. These regulations and conditions, or subsequent modifications by the Board, would continue to be applicable to Sycamore Landfill, and with compliance as required, no

CO0412 ATTACHMENT 7

significant impact to water quality would occur. The landfill implements run-on/runoff controls and other surface water best management practices (BMPs) such as desilting basins to reduce off-site erosion/siltation effects to below a level of significance. The Sycamore Landfill has a National Pollution Discharge Elimination System (NPDES) permit which addresses storm water management complete with a storm water pollution prevention plan. In addition, the project health risk assessment for air emissions that was completed for the Master Plan concluded that all public health risks for any potential health risk pathways at all sensitive receptors would be less than the applicable adopted public health risk thresholds, therefore there is no public health risk as a result of the approval of the Master Plan.

None of the proposed changes to the landfill design or operation would require the need for new or altered governmental services. With implementation of the air quality mitigation measures listed in the Environmental Impact Report (EIR), none of the activities proposed as part of the project would create a health hazard or potential health hazard.

In summary, the proposed project would not be detrimental to public health, safety or welfare; in fact, it would have a net beneficial effect to the public health, safety and welfare because it would provide a modern municipal solid waste disposal facility in which to dispose of the waste generated by the City and its residents and businesses.

3. The proposed development will comply with the regulations of the Land Development Code.

The proposed project has been designed to comply with the development regulations of the San Diego Municipal Code and the City's Land Development Code, including the requirements for a site development permit to protect, preserve and, where damaged, restore environmentally sensitive lands, as further discussed below. Implementation of the proposed project would require deviations from the Municipal Code, and the findings for those deviations are more fully described in the Supplemental Findings below.

4. The proposed development, when considered as a whole, will be beneficial to the community.

Sycamore Landfill provides municipal solid waste capacity for a large portion of the City of San Diego and the San Diego County region. According to the most recent Countywide Integrated Waste Management Plan (CIWMP, May 2004), Sycamore's existing capacity under its approved plan represents approximately 30% of San Diego County's existing disposal capacity. Recent capacity calculation methods required by the state indicate that Sycamore Landfill actually provides closer to 57% of the County's municipal solid waste disposal capacity. The proposed Master Plan would allow future waste disposal at an existing landfill site, helping to accommodate more of the region's needs for an additional 20-30 years. Continued availability of centrally located disposal facilities benefits the community as a whole. In addition, the facility would assist the cities in the County achieve their Source Reduction and Recycling Element (SRRE's) goals under state law and to generate additional electrical power from renewable sources of fuel.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

According to SDMC Sec. 131.0601, "The purpose of the industrial zones is to accommodate a range of industrial and manufacturing activities in designated areas to promote a balanced land use and economy and to encourage employment growth. The industrial zones are intended to provide flexibility in the design of new and redeveloped industrial projects while assuring high quality *development* and to protect land for industrial uses and limit non-industrial uses."

SDMC Sec. 131.0655 is designed to provide outdoor amenities to workers in factories and similar industrial developments who otherwise would not have access to the outdoors. The proposed project is not a typical industrial use, as it involves work that is almost exclusively outdoors, rather than the indoor work typically associated with industrial uses. Thus, while requiring an outdoor amenity is appropriate for industrial workers who otherwise would be kept indoors all day, the purpose behind the requirement, allowing workers an opportunity to spend some time outdoors, does not apply to the proposed project, in which the work already is almost exclusively outdoors. Rather, the project provides a 450-square foot indoor eating/break area in the proposed maintenance facility, to allow its workers, who spend most of the day outside, to have a place indoors to have shelter from the weather. There is a picnic bench located behind one of the offices in the existing landfill entrance area, for any workers who wish to eat outdoors, and an additional table would be added as part of the project, so that there would be two tables placed in a sheltered portion of the landscaped areas near the new office building.

In addition, the project is across the street from West Hills Park, and is within a quarter-mile of Mission Trails Regional Park. The Applicant purchased and donated a picnic table that is located in the equestrian area of the Park, and that is available for use by landfill workers.

There are no comparable situations in the surrounding neighborhood. No other industrial uses are permitted within miles of the site, and there are few developments of any kind near the landfill disposal area. West Miramar Landfill, the nearest similar landfill in the region, provides two picnic benches in an area near its administrative offices, similar to what would be provided at Sycamore. The proposed deviation would be beneficial to the neighborhood because of unique circumstances at the subject site, in that the workers at the site, who spend most of their day outside, would have an indoor eating area. Moreover, it benefits the neighborhood and the workers to have an indoor eating area rather than eating outdoors at the operating landfill. The landfill has existed at the present location for more than forty years, and no outdoor amenity beyond the picnic bench cited above has ever been provided.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

COO414 ATTACHMENT 7

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and SDP No. 9310 and PDP No. 9309 are granted to Sycamore Landfill, Inc. Owner/Permittee, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: MICHAEL AGUIRRE, City Attorney

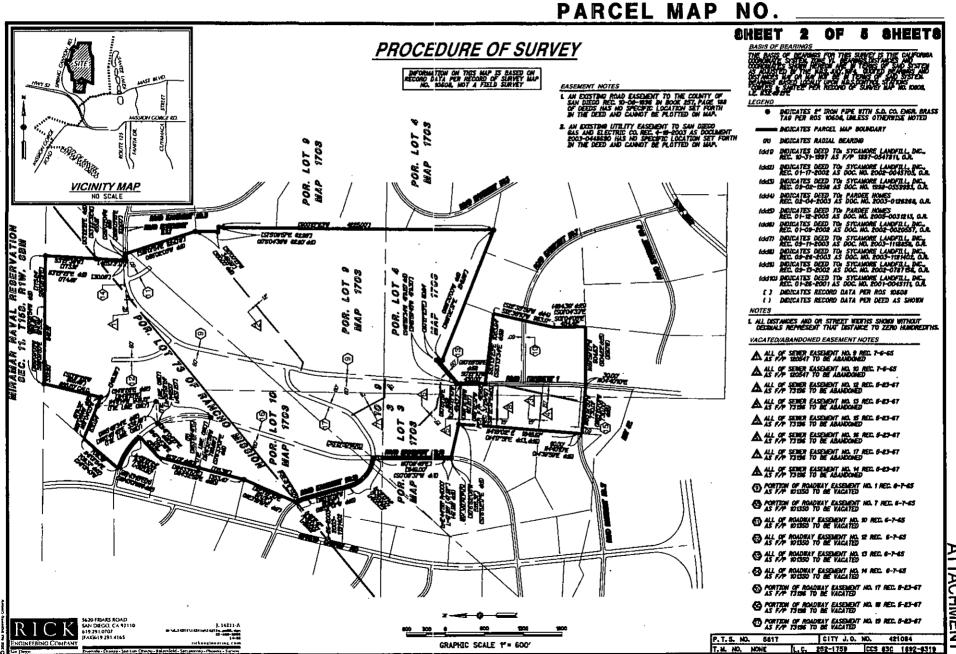
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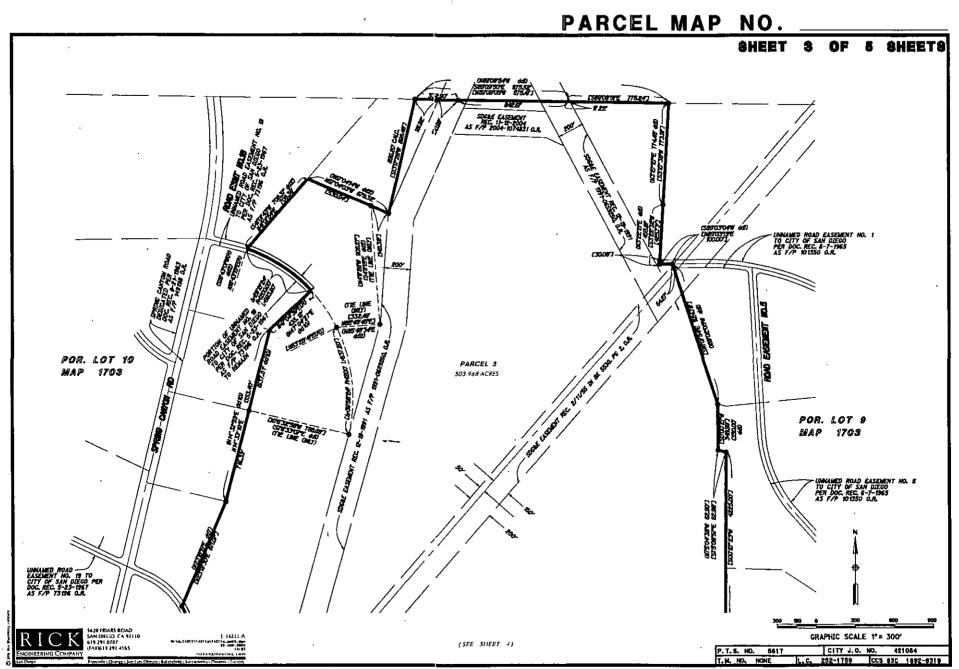
Rachel Lipsky
Deputy City Attorney

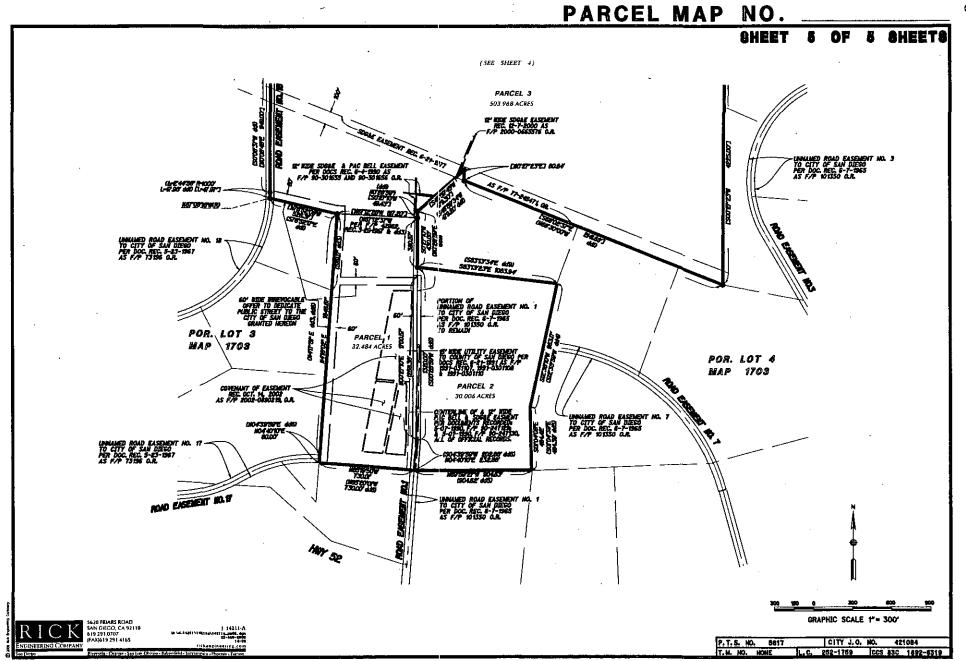
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PRELIMINARY







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RESOLUTION NUMBER R-	
ADOPTED ON	

WHEREAS, Section 66445(j) of the Subdivision Map Act provides a procedure for the vacation/abandonment of road and sewer easements through consolidated parcel maps where the easements are no longer required; and

WHEREAS, the affected property owner has requested the vacation/abandonment of the easements to unencumber this property and facilitate development of the site; and

WHEREAS, pursuant to San Diego Municipal Code section 125.0941, the City Council finds that:

- (a) there is no present or prospective use for the public right-of-way, either for the facility for which it was originally acquired, or for any other public use of a like nature that can be anticipated in that the easements are not needed for public street purposes; and
- (b) the public will benefit from the vacation through improved use of land made available by the vacation; and
 - (c) the vacation does not adversely affect any applicable land use plan; and
- (d) the public facility for which the right-of-way was originally acquired will not be detrimentally affected by this vacation;

WHEREAS, pursuant to San Diego Municipal Code section 125.1040, the City Council finds that:

(a) there is no present or prospective public use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be

anticipated in that the easements are not needed for public sewer purposes; and

- (b) the public will benefit from the action through improved utilization of the land made available by the abandonment; and
 - (c) the abandonment is consistent with any applicable land use plan; and
- (d) the public facility or purpose for which the easement was originally acquired will not be detrimentally affected by the abandonment or the purpose for which the easement was acquired no longer exists; NOW, THEREFORE,

BE IT RESOLVED, by the Council of San Diego, that the Council finds that certain map surveyed by Patrick A. McMichael, Licensed Land Surveyor, titled PARCEL MAP, Project Tracking System No. 5617 [MAP], being a consolidation of Portions of Lots 3,4,9 and 10 of the re-subdivision of part of Fanita Rancho in the City of San Diego, County of San Diego, State of California, according to Map No. 1703, and a portion of Lot 73 of Rancho Mission, Map No. 330.

BE IT FURTHER RESOLVED, All of Sewer Easement Parcel Numbers 9 and 10, granted to the City of San Diego per deed recorded July 6, 1965 as F/P 120547 of Official records; and All of Sewer Easement Parcel Numbers 12, 13, 14, 15, 16, and 17, granted to the City of San Diego per deed recorded May 23, 1967 as F/P 73196 of Official records,

Together with:

All of Roadway Easement Parcel Numbers 10, 12, 13 and 14, and portions of Roadway Easement Parcel Numbers 1 and 7 granted to the City of San Diego per deed recorded June 7, 1965 as F/P 101350 of Official records, and portions of Roadway Easement Parcel Numbers 17, 18 and 19 granted to the City of San Diego per deed recorded May 23, 1967 as F/P 73196 of Official Records,

will not be shown on said MAP because they are vacated/abandoned pursuant to section 66445(j) of the State Subdivision Map Act.

BE IT FURTHER RESOLVED; that the City Clerk is authorized and directed to endorse upon the MAP, as and for the act of the Council, and that the Council has approved the MAP on behalf of the public as stated in this resolution.

BE IT FURTHER RESOLVED, that the City Clerk is directed to transmit the MAP to the County Recorder of the County of San Diego, California, for recordation.

APPROVED: MICHAEL AGUIRRE, City Attorney

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ATTACHMENT 9

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RESOLUTION NUMBER R		
ADOPTED ON		

WHEREAS, California Streets and Highways Code section 8330 et seq. provides a procedure for the summary vacation of public street easements by City Council resolution where the easement is no longer required; and

WHEREAS, the affected property owner has requested the vacation of all that real property relinquished to the City of San Diego, in the City of San Diego, County of San Diego, State of California per document recorded March 6, 2008 as Document No. 2008-0117850 of Official Records.

EXCEPTING THEREFROM:

Easement Parcels 26202-2, 26202-3, 26204-2, 26204-3, 26204-4, 26203-2, 26203-4, 26429-2, and 26429-3 all as shown on State Highway Map No. 307 filed in the Office of the County Recorder of San Diego County on March 7, 2001 as File/Page No. 2001-0129708 of Official Records

WHEREAS the street vacation is necessary to unencumber this property and facilitate development of the site as conditioned in Site Development Permit No. 9310 and Planned Development Permit No. 9309; and

WHEREAS, the vacated easement shall be used for access to adjacent parcels and the Sycamore Landfill; and

WHEREAS, pursuant to San Diego Municipal Code section 125.0941, the City Council finds that:

(a) there is no present or prospective use for the purpose for public right-of-way, either for the facility for which it was originally acquired, or for any other public use of a

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ATTACHMENT 9

like nature that can be anticipated in that the easements are not needed for public

street purposes; and

(b) the public will benefit from the action through improved use of the land made

available by the vacation; and

(c) the vacation does not adversely affect any applicable land use plan; and

(d) the public facility for which the right-of-way was originally acquired will not be

detrimentally affected by the vacation; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

The unnamed street, as more particularly described in the legal description marked Exhibit "A,"

and as more particularly shown on Drawing No. 20899-B, labeled Exhibit "B," on file in the

office of the City Clerk as Document No. RR-, which is by this reference incorporated

herein and made a part hereof, is ordered vacated.

BE IT FURTHER RESOLVED that said street vacation is conditioned upon approval and

issuance of Site Development Permit No. 9310 and planned Development Permit No. 9309.

The City Clerk shall cause a certified copy of the resolution, with attached exhibits, attested by

her under seal, to be recorded in the office of the County Recorder.

APPROVED: MICHAEL AGUIRRE, City Attorney

By

(NAME)

Deputy City Attorney

ATTY/SEC. INITIALS

DATE

Or.Dept:Clerk

EXHIBIT "A"

STREET VACATION UNNAMED STREET

All that real property relinquished to the City of San Diego, in the City of San Diego, County of San Diego, State of California per document recorded March 6, 2008 as Document No. 2008-0117850 of Official Records.

EXCEPTING THEREFROM:

Easement Parcels 26202-2, 26202-3, 26204-2, 26204-3, 26204-4, 26203-2, 26203-4, 26429-2, and 26429-3 all as shown on State Highway Map No. 307 filed in the Office of the County Recorder of San Diego County on March 7, 2001 as File/Page No. 2001-0129708 of Official Records.

Vacated.

Contains 3.974 acres, more or less.

Attached hereto is a Drawing No. 20899-B labeled Exhibit "B" and by this reference made a part hereof is made.

Patrick A. McMichael, L.S. 6187

Date

J.O. 421084 P.T.S. 5617 Dwg. 20899-B

Jb/14211c.012

EXHIBIT "A"

STREET VACATION UNNAMED STREET

All that real property relinquished to the City of San Diego, in the City of San Diego, County of San Diego, State of California per document recorded March 6, 2008 as Document No. 2008-0117850 of Official Records.

EXCEPTING THEREFROM:

Easement Parcels 26202-2, 26202-3, 26204-2, 26204-3, 26204-4, 26203-2, 26203-4, 26429-2, and 26429-3 all as shown on State Highway Map No. 307 filed in the Office of the County Recorder of San Diego County on March 7, 2001 as File/Page No. 2001-0129708 of Official Records.

Vacated.

Contains 3.974 acres, more or less.

Attached hereto is a Drawing No. 20899-B labeled Exhibit "B" and by this reference made a part hereof is made.

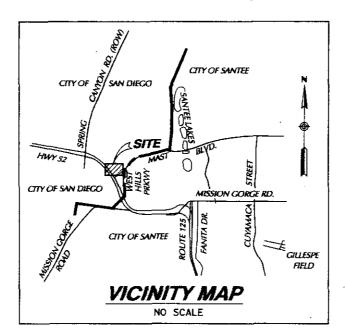
Patrick A. McMichael, L.S. 6187

J.O. 421084 P.T.S. 5617 Dwg. 20899-B



Jb/14211c.012

EXHIBIT "B"



LEGEND

UNNAMED STREET
RELINQUISHED TO
CITY OF SAN DIEGO
PER DOC. REC.
3-6-2008 AS F/P
2008-0177850 O.R.
VACATED HEREON.
(AREA: 3.914 ACRES)

- SLOPE EASEMENT
 RELINQUISHED TO
 CITY OF SAN DIEGO
 PER DOC. REC.
 3-6-2008 AS F/P
 2008-017850 O.R.
- B DRAMAGE EASEMENT RELINQUISHED TO CITY OF SAN DIEGO PER DOC, REC. 3-6-2008 AS F/P 2008-0117850 O.R.

TTTTTT INDICATES ACCESS RIGHTS
RELINQUISHED PER DOC.
REC. 421-1992
F/P 1992-0232834 O.R.

[] INDICATES PARCEL NUMBER PER RIGHT OF WAY MAP NO. 47533 AND NO. 47534 AND STATE WIGHWAY MAP NO. 307

REFERENCE DRAWING

CITY DWG NO. 11844-D

STATE HWY MAP NO. 307.

STATE RIGHT OF WAY MAP NO. 47533 .

STATE RIGHT OF WAY MAP NO. 47534.

MAP NO. 1703.



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© 2008 Not Engineering Company

5620 FRIARS ROAD J. 14211C SAN DIEGO, CA 92110 619.291.0707 05-5E7-2000 05-44

DATE

PATRICK A. McMICHAEL, LS 6187

STREET VACATION - UNNAMED STREET IN A PORTION OF MAP NO. 1703

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO,	CALIFORNIA	PTS: 5617
OR+G I NAL		at	7/1.		SHEET 1 OF 2		JO: 421084
		-			FOR CITY ENGINEER	9/10/08 DATE	1886 - 6321 CCS NAD 83 COORDINATES
						- -	246 - 1761
							LAMBERT COORDINATES
				STATUS			20899-1-B

000429

RECORDING REQUESTED BY AND WHEN RECORDED MAIL DOCUMENT AND TAX STATEMENT TO:

Sycamore Landfill, Inc. Attention: Neil Mohr 8514 Mast Boulevard Santee, CA 92071

THIS SPACE ABOVE FOR RECORDER'S USE

QUITCLAIM DEED FOR SYCAMORE LANDFILL ACCESS ROAD

The undersigned grantor declares the Documentary Transfer Tax is \$0 [Value of interest conveyed does not exceed \$100, R&T 11911]

Computed on full value of property conveyed, or
 Computed on full value less value of liens or encumbrances remaining at time of sale, and

CITY OF SAN DIEGO, a municipal corporation ("City" or "Grantor"), hereby REMISE, RELEASE, AND FOREVER GRANTS AND QUITCLAIMS to SYCAMORE LANDFILL, INC. ("SLI" or "Grantee") all of its right, title, and interest in and to the real property located in City of San Diego, County of San Diego, California, known as Road M-6 and more particularly described in the legal description attached hereto as Exhibit A and depicted in the plat attached hereto as Exhibit B.

Grantee and Grantor specifically agree that this conveyance is made in accordance with Section IV of the Settlement Agreement and Release entered into on February 24, 1993, by and between the State of California Department of Transportation, the County of San Diego in its capacity as owner and operator of the Sycamore Landfill, and the City for the exclusive use of the landfill owner and operator subject to the following conditions:

- 1. The Sycamore Landfill Access Road also serves as the frontage road for the landowners of APNs 366-071-22, 366-081-23, 366-081-24, 366-081-25, 366-081-26, 366-081-27, 366-081-28, and 366-081-29 abutting said road. Said abutting landowners shall retain their access rights to the Sycamore Landfill Access Road for ingress and egress to Mast Boulevard and the owner and operator of the Sycamore Landfill shall make a good faith effort to work with the City and abutting landowners to assure that the Sycamore Landfill Access Road will not preclude access for the abutting landowners; and
- 2. The owner and operator of the Sycamore Landfill shall use its best efforts to prevent trucks from lining up onto Mast Boulevard so as not to obstruct traffic on Mast Boulevard; and

3. The City shall take no action with respect to the Sycamore Landfill Access Road that would prevent the owner and operator of the Sycamore Landfill from assuring adequate and safe access to the landfill sufficient to conduct state-permitted landfilling operations for the life of the landfill.

IN WITNESS WHEREOF, the Grantor and Grantee have executed this Quitclaim Deed as of the date of the last signature below.

SYCAMORE LANDFILL, INC.	CITY OF SAN DIEGO
By:	By:
Name:	Name:
Title:	Title:
Date:	Date:
	APPROVED AS TO FORM
	By:
	Name: Its: Deputy City Attorney
	Date:

STATE OF CALIFORNIA)	
COUNTY OF)	
	,	
On	, before me,	, a Notary Public, personally known to me (or proved to a(s) whose name(s) is/are subscribed to
personally appeared	,	personally known to me (or proved to
the within instrument and ackr		•
		their signature(s) on the instrument the
person(s), or the entity upon be	ehalf of which the person(s	s) acted, executed the instrument.
I certify under PENAL	TY OF PERJURY under t	he laws of the State of California that
the foregoing paragraph is true	and correct.	
WITNESS my hand an	d official seal.	
Signature	····	
OTATE OF CALIFORNIA	,	
STATE OF CALIFORNIA)	
STATE OF CALIFORNIA COUNTY OF)	•
On	, before me,	, a Notary Public, personally known to me (or proved to
personally appeared	oveidonos) to be the names	personally known to me (or proved to (s) whose name(s) is/are subscribed to
the within instrument and ackn		
		their signature(s) on the instrument the
		acted, executed the instrument.
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the foregoing paragraph is true	and correct.	
WITNESS my hand an	d official seal.	,
Signatura		
Signature		

CCO432 ATTACHMENT 10

Easement and Public Right-of-Way Vacations

Numbered Easements

During the period between 1962 and 1970, the federal government sold most of its surplus Camp Elliott property, including lands in Tierrasanta, and the area south and east of current MCAS/Miramar parcels, now called "East Elliott." During this same general time period, the federal government provided easements for access roads, slopes and utilities to these surplus properties to the City of San Diego and assigned each of them a number (see Figure 4.1-3 of the Final EIR). These easements appear in general to have been drawn without regard to topography or practical engineering design, but only to establish legal access and utility service to the parcels prior to their sale.

In order to avoid the administrative burden of obtaining the consent of all the landowners in East Elliott before a single private easement can be vacated or relocated, these private easements were made temporary, to be terminated upon the City's acceptance of the road, slope and utility easements. Once they became public easements, the City has the legal authority to vacate and relocate the easements in a manner that took into account the area's topography, sound engineering standards, and development needs. In its sales notice, the federal government was careful to advertise to buyers of the surplus parcels the temporary nature of the private easements by stating "Easements for road purposes as shown on the attached map are in the process of being conveyed to the City of San Diego together with slope rights....Sewer easements are also being conveyed to the City of San Diego.... Should any of these easement not be accepted by the City by the time of awards hereunder, non-exclusive road and sewer easements will be granted to the successful purchaser. Such easements will be respectively subject to termination upon acceptance by the City of any road or sewer easements of similar scope." (Attachment 8). The City accepted these road, slope and utility easements through a series of resolutions in 1962, 1965, and 1967. In 1962, the City passed Resolution 172399 declaring the federal government's Camp Elliott property to be surplus property, stating the City's need to acquire portions of this property for a public thoroughfare, and authorizing the City Manager to secure the transfer of portions of this surplus property for major street and highway purposes. In 1965, the City Council passed Resolutions 183930 and 184230 accepting Road Easements (with slope rights) 1-16 and Sewer Easements 1-11. In 1967, the City Council passed Resolution 190443 accepting Road Easements (with slope rights) 17-20 and Sewer Easements 12-26. At the time of City acceptance, the private easements terminated.

These easements have never been realigned. Portions of the easements were vacated via the common law doctrine of abandonment by public act upon approval of CUP 6066, which approved proposed landfill expansion in 1974. To avoid confusion, however, and/or to the extent the City has not already abandoned the easements through the official public act of granting permits to operate a landfill over them, Sycamore Landfill is requesting the vacation of portions of public Road Easements (with slope rights) 1, 7, 10, 12, 13, 14, 17, 18, and 19, and Sewer Easements 9, 10, 17 and 18 in order to implement the landfill. Sewer easement No. 14 will remain in its present position, at the boundary

COO433 ATTACHMENT 10

between parcels 366-070-12 and 366-070-13, to allow potential future sewer line connections if there are any future residential developments to the west. After the requested easements are vacated, all parcels that currently have established easement access will maintain adequate access after the implementation of the landfill through easement relocation and the existing road easements that service the East Elliott parcels (Attachment 8). For some parcels, access will be improved since the road easements requested to be vacated are impractical to construct in their current location due to topography, cost and environmental concerns. Utility service remains unaffected because no utility service was constructed within these easements and potential utility service in the future is preserved through the easement relocation plan. The low-density development permitted within the MSCP surrounding the landfill can be adequately serviced by the existing road system. The privately owned area west of Sycamore Landfill comprises approximately 1,163 acres, but less than 25% (291 acres) will be developable under the regulations applicable to the MHPA.

Under the zoning allowed in the MHPA, no more than 291 dwellings can be developed. Based on City of San Diego trip generation factors, such a development will result in 2,910 trips per day (ADT), and a maximum 233/291 trips per peak hour (AM or PM respectively). Such traffic generation is well within the capacity of a two-lane road such as the existing right-of-way following Spring Canyon. Therefore, no access-related or utility service impacts associated with the vacation of the above listed easements will occur.

The City will accept the Irrevocable Offer of Dedication for the proposed new easements if, and at such time as, development requiring such additional access is approved. However, it must be clarified that no development of roads or installation of utilities is proposed within the remaining or relocated easements as a result of this landfill project.

Non-Numbered Easements

Separate from the numbered easements described above, the federal government granted two temporary private road easements through portions of East Elliott for the joint use of the federal government and the landowners whose properties are adjacent to the road easements. The first was filed December 14, 1964 as File/Page No. 226678 of the Official Records, County of San Diego and runs southeast-northwest through Lot B-11-31 ("SE-NW Easement"). The second was filed January 4, 1965 as File/Page No. 584 of the Official Records, County of San Diego and runs north-south through the landfill ending at the border of MCAS/Miramar to the north ("North-South Easement"). The term for each temporary private easement expires upon dedication of a public road to the property. As such, the SE-NW Easement expired when the City of San Diego accepted the dedication of certain numbered easements that service the lots contiguous to the SE-NW Easement, including Road Easement Nos. 1, 5, 6, 9, and 10. Therefore, the landfill expansion does not impact access to lots formerly serviced by the SE-NW Easement. Likewise, the North-South Easement expired when the City of San Diego accepted the dedication of certain numbered easements that service the lots contiguous to the North-South Easement, including, but not limited to Road Easements Nos. 1, 12, and 14. A

consolidated parcel map for the landfill parcels will result in legal lots with continued legal access despite the termination of all or portions of the SE-NW Easement and the North-South Easement.

Vacation of Easements

The road, slope and sewer easements (Easements) proposed to be vacated as part of the Sycamore Landfill Master Plan Expansion are justified because they are part of an easement relocation plan that facilitates the anticipated landfill expansion while continuing to maintain adequate access and service to neighboring parcels within the East Elliott Community Planning Area. The easement relocation plan is depicted in Figure 4.1-3 of Environmental Impact Report No. 5617, SCH No. 2003041057, prepared for the Sycamore Landfill Master Plan (EIR) and on Parcel Map No. 5347711, which is on file in the City Clerk's Office. The new location and dedication of the Easements will either continue to provide or improve reasonable access and service to the public facility and purpose for which the Easements were originally acquired, to the extent the purpose of the Easements still exist. Providing public access to privately owned lots will continue and, in some cases, be improved under the easement relocation plan. Legal access serving the landfill also will be preserved.

Portions of Road Easements Nos. 1, 10, 12, 13, 14, 18 and 19 (Main Landfill Road Easements) were abandoned by the City in 1974 when the City expanded the area of the Sycamore Landfill to its current size. This approval of landfilling on the property extinguished access at that location for parcels served by these Main Landfill Road Easements, but not other access points available to those parcels in 1974.

These findings reconfirm the termination of public rights to the Easements that first occurred in 1974, to the extent such termination has been disputed, caused confusion to the public, and/or clouded title to properties in the East Elliott Community Planning Area. The easement relocation plan will in some cases improve access to parcels upon the City's acceptance of the irrevocable offer to dedicate the road easements, by relocating portions of the abandoned Main Landfill Road Easements around the southwest end of the landfill and providing those parcels with access to the portion of Road Easement No. 1 that contains a constructed road.

Few if any of the surrounding road easements in the East Elliott Community Planning Area have been developed by the City, due in part to the rugged terrain and lack of development on the vacant parcels served by the easements. When the United States Government originally created the easements in the 1960s, they were drawn for the convenience of establishing legal access to legal lots that only existed on paper. Known as "paper easements," they were drawn without regard to the physical terrain, sound engineering practices, or biological habitat impacts. Some easements enter the sides of steep slopes, sensitive habitats, or canyons where no civil engineer would have placed them if the purpose were to provide affordable; safe and convenient access to developable lots. In contrast, the proposed road relocation plan requires the landfill operator to dedicate a road easement around the southwest end of the landfill. The plan shows the

C00435 ATTACHMENT 10

road avoiding areas set aside as mitigation for impacts to sensitive habitat areas. For some parcels, access would be improved, since the road easements requested to be vacated are impractical to construct in their current location due to the aforementioned topography, cost and environmental concerns. Upon the City's acceptance of the irrevocable offer to dedicate the road easement, some parcels would gain access to portions of Road Easement No. 1 south of the landfill that contain a constructed road.

Portions of Road Easements Nos. 7 and 17 (Ancillary Landfill Road Easements) are "paper easements" that serve parcels owned by the landfill and that are part of this proposed project as mitigation lands, scale facilities or other ancillary landfill facilities. These parcels will continue to be served by Road Easement No. 1. The portions of Road Easements Nos. 7 and 17 within lands not owned by the landfill are not subject to vacation and will continue to provide adequate access to those parcels. In addition, non-landfill parcels partially serviced with easterly access by the vacated portion of Road Easement No. 17 will maintain easterly access to Road Easement No. 1 upon the City's acceptance of the irrevocable offer to dedicate easements within the easement relocation plan. Non-landfill parcels partially serviced with westerly access by the vacated portion of Road Easement No. 7 maintain westerly access to Road Easement No. 1 and southerly access to Mast Boulevard via Road Easement No. 8 and the unvacated portion of Road Easement No. 7.

Finally, none of the sewer easements were actually constructed within the areas proposed for vacation, so their level of service to the affected parcels remains the same upon relocation. Potential utility service in the future is preserved through the easement relocation plan.

As demonstrated above, there is no present or prospective use for the Easements, either for the facility for which they were originally acquired or for any other public use or a like nature that can be anticipated that requires it to remain at its current location.

The action of vacating the Easements and in some cases reconfirming their abandonment will benefit the public, because the land made available by the vacation will be improved to provide additional landfill capacity needed by the public. The California Integrated Waste Management Act of 1989 requires each city and county in the state to adopt a Countywide Integrated Waste Management Plan and Siting Element demonstrating that 15 years of solid waste disposal capacity is or will be available through existing or planned facilities. (Pub. Res. Code Sections 41700-41721.5 and 41750-41770). The City Council unanimously approved the Countywide Integrated Waste Management Plan Summary and Countywide Updated Siting Element on April 5, 2005 via Resolutions R-300295 and R-300296 following SANDAG and the County of San Diego's review and approval of the plan. The Siting Element projected an exhaustion of disposal capacity for the region in about 2016, which was not adequate to demonstrate a 15-year disposal plan to the state. However, the region could demonstrate adequate capacity for at least 15 years through the Master Plan for expansion of Sycamore Landfill and by development of Gregory Canyon Landfill. According to the report, of these two capacity enhancing projects, Sycamore Landfill would provide over three-quarters of the new supply.

COO436 ATTACHMENT 10

Citizens and businesses of the City of San Diego and other communities in San Diego County would benefit from the extended capacity of this centrally located facility. If new landfill capacity is not provided, the number of incidents of illegal dumping of waste on vacant lots without any regard for the environment, public health or private property rights may increase. Therefore, the public will benefit from the use of the vacated easement area to provide new capacity and avoid unwanted health and environmental impacts.

The existing landfill development is located within the East Elliott Community Planning Area. The 1971 Elliott Community Plan (Community Plan) recognized the landfill use and designated the site for solid waste disposal. In 1977, the City Council amended the Community Plan to increase the landfill site designation to 493 acres, including the area of the abandoned Main Landfill Road Easements and sewer and slope easements that are the subject of this vacation. Therefore, as it related to the Main Landfill Road Easements and sewer and slope easements within the property previously designated for landfill, this vacation does not conflict with any of the Community Plan's goals, objectives or recommendations and, as such, does not adversely affect any applicable land use plan.

With regards to the Ancillary Landfill Road Easements and the slope and sewer easements outside the area previously designated for landfill, the project proposes to amend the Community Plan to expand the area designated landfill in order to make the project's proposed landfill ancillary facilities' uses consistent with the Community Plan. Therefore, the vacation does not conflict with the amended Community Plan's goals, objectives or recommendations, and, as such does not adversely affect any applicable land use plan.

Other portions of the Ancillary Landfill Road Easements and the slope and sewer easements proposed for vacation are adjacent to mitigation lands or within lands proposed for mitigation in the City's Multi-Species Habitat Planning Area (MHPA) to offset biological impacts from the Sycamore Landfill Master Plan Expansion. Such mitigation policies and protection of lands from further development are consistent with the MHPA, and, as such the proposed vacations do not adversely affect any applicable land use plan.

The Easements proposed to be vacated as part of the Sycamore Landfill Master Plan Expansion are part of an easement relocation plan that facilitates the anticipated landfill expansion, while maintaining adequate access and service to neighboring parcels within the East Elliott Community Planning Area. The public facilities for which the public easements were acquired will not be detrimentally affected by the vacation of the easements, because the new location and dedication of the Easements will either continue to provide or improve reasonable access and service to the public facility and purpose for which the Easements were originally acquired, to the extent the purpose of the Easements still exist. Providing public access to privately owned lots will continue and in some cases be improved under the easement relocation plan. Legal access serving the landfill will also be preserved through providing access to the new consolidated landfill parcels.

Portions of Road Easements Nos. 1, 10, 12, 13, 14, 18 and 19 (Main Landfill Road Easements) were abandoned by the City in 1974 when the City expanded the area of the Sycamore Landfill to 493 acres. This action extinguished access at that location for parcels served by these Road Easements, but does not impact other access points available to those parcels in 1974.

These findings reconfirm the termination of public rights to the Easements in 1974 to the extent such rights were in dispute, caused confusion to the public, and/or clouded title to properties in the East Elliott Community Plan Area. The easement relocation plan will in some cases improve access to parcels upon the City's acceptance of the irrevocable offer to dedicate the road easements, by relocating portions of the abandoned Main Landfill Road Easements around the southwest end of the landfill and thereby giving them access to the portion of Road Easement No. 1 that contains a constructed road.

Few if any of the surrounding road easements in the East Elliott Community Planning Area have been developed by the City, due in part to the rugged terrain and lack of development on the vacant parcels served by the easements. When the United States Government originally created the easements in the 1960s, they were drawn for the convenience of establishing legal access to legal lots that only existed on paper. Known as "paper easements," they were drawn without regard to the physical terrain, sound engineering practices, or biological habitat impacts. Some easements enter the sides of steep slopes, sensitive habitats, or canyons where no civil engineer would have placed them if the purpose were to provide affordable, safe and convenient access to developable lots. In contrast, the proposed road relocation plan requires the landfill operator to dedicate a road easement around the southwest end of the landfill. The plan shows the road avoiding areas set aside as mitigation for impacts to sensitive habitat areas. For some parcels, access would be improved, since the road easements requested to be vacated are impractical to construct in their current location due to the aforementioned topography, cost and environmental concerns. Upon the City's acceptance of the irrevocable offer to dedicate the road easement, some parcels would gain access to portions of Road Easement No. 1 south of the landfill that contain a constructed road.

Portions of Road Easements Nos. 7 and 17 (Ancillary Landfill Road Easements) are "paper easements" that serve parcels owned by the landfill and that are part of this proposed project as mitigation lands, scale facilities or other ancillary landfill facilities. These parcels will continue to be served by Road Easement No. 1. The portions of Road Easements Nos. 7 and 17 within lands not owned by the landfill are not subject to vacation and will continue to provide adequate access to those parcels. In addition, non-landfill parcels partially serviced with easterly access by the vacated portion of Road Easement No. 17 will maintain easterly access to Road Easement No. 1 upon the City's acceptance of the irrevocable offer to dedicate easements within the easement relocation plan. Non-landfill parcels partially serviced with westerly access by the vacated portion of Road Easement No. 7 maintain westerly access to Road Easement No. 1 and southerly access to Mast Boulevard via Road Easement No. 8 and the unvacated portion of Road Easement No. 7.

Finally, none of the sewer easements were actually constructed within the areas proposed for vacation, so their level of service to the affected parcels remains the same upon relocation. Potential utility service in the future is preserved through the easement relocation plan.

Therefore, the public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation.

Access Road

At the time SR-52 was developed south of the landfill, Caltrans' planned right of way interfered with the existing access road for Sycamore Landfill, resulting in the road's realignment to its current location, which is also known as Road M-6, Sycamore Landfill Road, or Segment 3 of State Highway Map No. 307. Caltrans condemned a fee simple interest in the property for both SR-52 and Road M-6. Pursuant to a Settlement Agreement and Release executed in 1993 among the City of San Diego, the County of San Diego, and Caltrans, Caltrans was required to relinquish all its rights, title and interest in the access road and its appurtenant facilities to the City after the City provided the County with an updated development permit for the landfill. In 2002, the City issued the updated development permit (PDP/SDP No. 40-0765) to the County's successor-ininterest to the landfill, San Diego Landfill, Inc. On February 13, 2008, Caltrans relinquished its rights, title and interest in the access road to the City.

Under the terms of the Settlement Agreement and Release, the access road is to be used for the exclusive use of the landfill owner and operator subject to the following conditions: (1) the landfill owner and operator must make a good faith effort to work with the City and landowners adjacent to Road M-6 not to preclude east-west access; and (2) the landfill owner and operate shall use its best efforts to prevent trucks from lining up onto Mast Boulevard so as to obstruct traffic on Mast Boulevard; and (3) the City shall take no action with respect to Road M-6 that will prevent the owner and operator of the landfill from assuring adequate and safe access to the landfill sufficient to conduct state-permitted landfilling operations for the life of the landfill.

Consistent with the City's obligation in the Settlement Agreement and Release's obligation to take no action with respect to Road M-6 that will prevent the owner and operator of the landfill from assuring adequate and safe access to the landfill sufficient to conduct state-permitted landfilling operations for the life of the landfill, a companion item to be considered by the City Council will transfer all the City's rights, title and interest in the access road to Sycamore Landfill, Inc. along with the three conditions outlined above. Therefore, although the road will cease to be a public road within the general system of streets via the proposed vacation and conveyance, landowners adjacent to the access road will retain rights to use the road to access Mast Boulevard and landfill customers can continue to access the landfill facilities. The landfill is required to use best efforts not to hamper east-west access of the adjacent landowners, and the adjacent landowners retain use of the frontage road to access the freeway at a point allowed by a

public agency.

The project's relocation of the truck scales closer to the landfill represents the best efforts to prevent trucks from lining up onto Mast Boulevard. The current location of the truck scales is near Mast Boulevard. The City will retain slope and drainage easement rights associated with the access road and is anticipated to grant Sycamore Landfill a license to enter and use the slope and drainage easements as required for operations of the landfill.

Vacation and Conveyance of Access Road

Vacation of the road easement on the road parcel known as Road M-6, Sycamore Landfill Road, or Segment 3 of State Highway Map No. 307, as part of the Sycamore Landfill Master Plan Expansion is justified because such vacation is consistent with and fulfills the requirements of the Settlement Agreement between the City of San Diego (City), the California Department of Transportation (Caltrans), and the County of San Diego (County), owner and operator of the landfill, and its successor in interest, Sycamore Landfill, Inc. Under the terms of the Settlement Agreement, the access road is to be used for the exclusive use of the landfill owners and operator subject to the following conditions: (1) the landfill owner and operator must make a good faith effort to work with the City and landowners adjacent to Road M-6 not to preclude east-west access; (2) the landfill owner and operator shall use its best efforts to prevent trucks from lining up onto Mast Boulevard so as to obstruct traffic on Mast Boulevard; and (3) the City shall take no action with respect to Road M-6 that will prevent the owner and operator of the landfill from assuring adequate and safe access to the landfill sufficient to conduct state-permitted landfilling operations for the life of the landfill.

Consistent with the City's obligation in the Settlement Agreement to take no action with respect to Road M-6 that will prevent the owner and operator of the landfill from assuring adequate and safe access to the landfill sufficient to conduct state permitted landfilling operations for the life of the landfill, the City finds it necessary to vacate the public rights to Road M-6 in order to transfer the road parcel to the landfill operator, thereby allowing the landfill operator to perform maintenance of the road and also enhance the landfill's overall security and operational safety.

Although the City is vacating the road easement and transferring the road parcel to the landfill operator as a private road, the Settlement Agreement conditions stated above remain. Therefore, although the road will cease to be a public road within the general system of streets, landowners adjacent to the access road will retain any existing rights to use the road to access Mast Boulevard already in place, and landfill customers can continue to access the landfill facilities. Furthermore, by this action the City is not vacating or transferring the slope and drainage easements adjacent to Road M-6.

There is no present or prospective use for the road easement on the road parcel, either for the facility for which it was originally acquired or for any other public use or a like nature that can be anticipated, that requires it to remain under public control. COO440 ATTACHMENT 10

The action of vacating the road easement will benefit the public because the land made available by the vacation will facilitate adequate, safe and secure access to additional landfill capacity needed by the public. The California Integrated Waste Management Act of 1989 requires each city and county in the state to adopt a Countywide Integrated Waste Management Plan and Siting Element demonstrating that 15 years of solid waste disposal capacity is or will be available through existing or planned facilities. (Pub. Res. Code Sections 41700-41721.5 and 41750-41770). The City Council unanimously approved the Countywide Integrated Waste Management Plan Summary and Countywide Updated Siting Element on April 5, 2005 via Resolutions R-300295 and R-300296 following SANDAG and the County of San Diego's review and approval of the plan. The Siting Element projected an exhaustion of disposal capacity for the region in about 2016, which was not adequate to demonstrate a 15-year disposal plan to the state. However, the region could demonstrate adequate capacity for at least 15 years through the planned Master Plan expansion of Sycamore Landfill and development of Gregory Canyon Landfill. According to the report, of these two capacity enhancing projects, Sycamore Landfill would provide over three-quarters of the new supply.

Citizens and businesses of the City of San Diego and other communities in San Diego County would benefit from the extended capacity of this centrally located facility. If new landfill capacity is not provided, the number of incidents of illegal dumping of waste on vacant lots without any regard for the environment, public health or private property rights may increase. Therefore, the public will benefit from the use of the vacated easement area to facilitate adequate, safe and secure access to new landfill capacity and avoid these unwanted health and environmental impacts.

The existing landfill development is located within the East Elliott Community Planning Area. The 1971 Elliott Community Plan (Community Plan) recognized the landfill use and designated the site for solid waste disposal. In 1977, the City Council amended the Community Plan to increase the landfill site designation to 491 acres. Therefore, in facilitating adequate, safe, and secure access to the landfill, this vacation does not conflict with any of the Community Plan's goals, objectives or recommendations, and, as such, does not adversely affect any applicable land use plan.

Furthermore, the Sycamore Landfill Master Plan expansion associated with this easement vacation proposes to amend the Community Plan to expand the area designated landfill in order to make the project's proposed landfill ancillary facilities' uses, including the road parcel, consistent with the Community Plan. Therefore, the vacation does not conflict with the amended Community Plan's goals, objectives or recommendations, and, as such does not adversely affect any applicable land use plan.

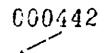
The road easement on the road parcel proposed to be vacated as part of the Sycamore Landfill Master Plan Expansion is justified because it is consistent with the terms of a Settlement Agreement between the City of San Diego (City), California Department of Transportation (Caltrans), and the County of San Diego (County), then the owner and operator of the landfill, as well as the County's successor in interest, Sycamore Landfill, Inc. Under the terms of the Settlement Agreement, the access road is to be used for the

000441 ATTACHMENT 10

exclusive use of the landfill owners and operator subject to the following conditions: (1) the landfill owner and operator must make a good faith effort to work with the City and landowners adjacent to Road M-6 not to preclude east-west access; (2) the landfill owner and operator shall use its best efforts to prevent trucks from lining up onto Mast Boulevard so as to obstruct traffic on Mast Boulevard; and (3) the City shall take no action with respect to Road M-6 that will prevent the owner and operator of the landfill from assuring adequate and safe access to the landfill sufficient to conduct state-permitted landfilling operations for the life of the landfill.

Consistent with the City's obligation in the Settlement Agreement to take no action with respect to Road M-6 that will prevent the owner and operator of the landfill from assuring adequate and safe access to the landfill sufficient to conduct state permitted landfilling operations for the life of the landfill, the City finds it necessary to vacate the public rights to Road M-6 in order to transfer the road parcel to the landfill operator. This allows the landfill operator to perform maintenance of the road and also to enhance the landfill's overall security and operational safety.

Although the City is vacating the road easement and transferring the road parcel to the landfill operator as a private road, the Settlement Agreement conditions stated above remain. Therefore, although the road will cease to be a public road within the general system of streets, landowners adjacent to the access road will retain rights to use the road to access Mast Boulevard and landfill customers can continue to access the landfill facilities. Therefore, the public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation.



PLANNING COMMISSION RESOLUTION NO. 3355-PC

INITIATING THE SYCAMORE MASTER PLAN AMENDMENT TO THE ELLIOTT COMMUNITY PLAN AND THE PROGRESS GUIDE AND GENERAL PLAN

WHEREAS, on February 20, 2003, the Planning Commission of the City of San Diego held a public hearing to consider initiation of an amendment to the Elliott Community Plan and the Progress Guide and General Plan; and

WHEREAS, the amendment request is to redesignate approximately 114 acres from Open Space and Office Commercial to Landfill to accommodate the Sycamore Landfill Master Plan; and

WHEREAS, the Planning Commission of the City of San Diego considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego that it hereby initiates the Parkside amendment to the Elliott Community Plan and Progress Guide and General Plan, to include analysis of the following issues:

- Potential noise, dust, lighting, and odor impacts on the surrounding Multiple Habitat Planning Area (MHPA), on existing residential development east and south of the landfill, and on potential development surrounding the landfill.
- Impacts to the MHPA open space system.
- Potential truck traffic impacts on surrounding streets and land uses.
- The appropriate boundaries of the landfill designation.
- Potential visual impacts, particularly from Mission Trails Regional Park south of SR-52.
- Potential ground water and runoff impacts.
- The potential need for any further plan amendments to accommodate landfill needs.
- Impacts that may remain after the landfill is closed, including aesthetic impacts.
- The loss of potential office use by converting the Office-Commercial-designated Caltrans right-of-way to landfill use.

- The extent to which the grading blends with the existing topography.
- The possibility of removing from the plan map and text the "Potential Landfill" west of the existing landfill.

Senior Planner

Long Range Planning

Approved: February 20, 2003 By a vote of: 5-0-0

Linda Lugano

Legislative Recorder

to the Planning Commission

COO444 ATTACHMENT 11

Response to Planning Commission Issues

Sycamore Master Plan Community Plan Amendment Initiation

On February 20, 2003, the Planning Commission of the City of San Diego held a public hearing and initiated the Sycamore Landfill Master Plan amendment to the Elliott Community Plan and the City of San Diego General Plan (Attachment 10, Planning Commission Resolution No. 3355-PC). The Planning Commission directed staff to analyze a number of issues in conjunction with the amendment process.

The City of San Diego Land Development Review Division has prepared a draft Environmental Impact Report (EIR) for the Sycamore Landfill Master Plan. Items listed in **bold** are issues identified by the Planning Commission. Staff's response, based on the information provided by a draft EIR, follows each entry.

Potential noise, dust, lighting, and odor impacts on the surrounding Multiple Habitat Planning Area (MHPA), on existing residential development east and south of the landfill, and on potential development surrounding the landfill.

Noise – Landfill operations, construction and demolition material processing, and greens processing near the landfill property line would result in sound levels exceeding the limits allowed under the City of San Diego Noise Ordinance, unless mitigated with provision of noise barrier berms. Construction of noise barrier berms would comply with the applicable 75 dBA Leq limit, and resulting temporary noise impacts would be less than significant. Noise impacts due to landfill operation behind these berms would be less than significant, except for potential nighttime operation within 200 feet of the landfill boundary. And, although sound levels at a residentially-zoned parcel adjacent to the proposed administrative office facilities site may exceed the criterion, no actual noise impact would occur since no residents are expected to be present during the proposed construction period.

Dust – Activities creating dust include exhaust from vehicles hauling waste; exhaust from equipment used to move, grade, compact waste, and cover soil at the working face; cell excavation/module construction; gas collection and control systems; construction and demolition debris operations; green material processing and composting operations; and final cover construction-related emission occurring during operations. Sycamore Landfill is required to have a dust control plan. The dust control measures to be implemented include watering of disturbed surfaces, paving access roads if they are to be used for extended periods of time, use of soil stabilizers and low-dust surface compounds, minimization of idling time for diesel engines, and use of electrical equipment where feasible. These measures ensure that visible dust would not cross the property lines, resulting in less than significant impacts for dust under the stated criterion.

Lighting – All project lighting would be consistent with City of San Diego lighting regulations. Specifically, no landfill lighting would be directed at lands other than landfill areas requiring illumination. Furthermore, within 1,600 feet of the MHPA, active

landfilling would be done behind 15- to 20-foot high noise/visual barrier berms, which would substantially reduce project-related light levels in the adjacent MHPA to below a level of significance.

Odor – Two sources of odors are typically associated with normal landfilling operations: aerobic (in air) decomposition of organic refuse materials prior to being covered with soil and anaerobic (without air) decomposition of the buried refuse. The odors from the aerobic decomposition of refuse are controlled through the sanitary method of disposal; the refuse is delivered to the landfill, compacted, and then covered with clean soil. The process of covering the refuse reduces odors. The anaerobic digestion of buried waste results in the creation of carbon dioxide and methane, both of which are odorless gases. However, anaerobic digestion can also generate trace amounts of foul-smelling gases, including sulfides, mercaptans, and thiophenes. To control the release of odorous gases at the landfill, a gas collection and control system has been installed. The collected gases are transported to a cogeneration power plant where the landfill gas is used as fuel for gas turbines that generate electricity. The remainder of the collected landfill gas is burned in an enclosed flare facility.

Impacts to the MHPA open space system.

The proposed project avoids impacts to narrow endemic species that are located within the MHPA. Impacts to any narrow endemic species outside the MHPA boundaries would be mitigated in accordance with City requirements. No more than 25 percent of the project premises inside the MHPA may be developed. The City's Biology Guidelines also allow development of an additional five percent in the MHPA to accommodate essential public facilities, for a maximum development of 30 percent. The six MHPA parcels in which development is proposed total 70.64 acres, while proposed new disturbance in the MHPA totals approximately 13.69 acres. This value, divided by 70.64 acres within the six parcels, is 19.4 percent, and is less than the maximum 30 percent allowed, and, therefore, the project would be consistent with this regulation.

Potential truck traffic impacts on surrounding streets and land uses.

Traffic impacts were evaluated cumulatively, including trucks. In the near-term, with the proposed landfill expansion, all signalized intersections except one in the project area are calculated to operate at Level of Service (LOS) D or better. In the long-term, all street segments are calculated to continue to operate at LOS D or better. Physical improvements to the local network would be implemented in conjunction with the local jurisdiction.

Westbound State Route (SR) 52 west of Mast Boulevard is calculated to continue to operate at LOS F or worse in the a.m. peak, and near-term project contribution is calculated to exceed the allowable volume/capacity increase of 0.01, thus creating a significant direct project impact. However, physical improvements required to mitigate direct project impacts to State (Caltrans) controlled facilities such as ramp meter locations, freeway ramps and freeway segments are often financially difficult to

implement, and are not within the City's jurisdiction to control. Prior to completion of the TransNet work on SR-52, Traffic Demand Management (TDM) measures are the only potential means of mitigating project impacts.

The appropriate boundaries of the landfill designation; and the potential need for any further plan amendments to accommodate landfill needs.

The primary objective of the proposed Master Plan is to provide additional landfill disposal capacity at an existing, approved site. Under the proposal, the total landfill capacity would increase from 70 million cubic yards (mcy) to 157 mcy.

Sycamore Landfill provides a major percentage of the solid waste disposal capacity of the City of San Diego, and of the rest of San Diego County. Remaining capacity at the Sycamore site under the revised 2006 Solid Waste Facility Permit is approximately 48 mcy, approximately 42 percent of the total existing non-military landfill capacity within the County. Other existing landfills, and their remaining capacity include: West Miramar (21.6 mcy), Otay (42.3 mcy), Ramona, (0.6 mcy), and Borrego Springs (0.4 mcy).

The San Diego County Integrated Waste Management Plan (CIWMP) indicates that the potential closure of the West Miramar could occur by 2012, although the City is proposing an increase in height to extend its service life. A new landfill in North County, Gregory Canyon, was proposed in 1990, but all the necessary permits to authorize that facility have not yet been issued.

California laws and regulations require that each region maintain 15 years of solid waste disposal capacity. Approval of both the proposed Sycamore Landfill Master Plan expansion, and approval of the Gregory Canyon Landfill, would have approximately 20 years of solid waste disposal capacity. According to the CIWMP, if only the Sycamore Master Plan expansion were approved, the in-County capacity would decrease to 16 years, and if neither were approved, some solid waste would need to be shipped out of the County.

Therefore, the proposed boundaries for the expansion of an existing approved landfill are appropriate for the required regional disposal capacity. Potential need for any further plan amendments to accommodate landfill needs is difficult to gauge without knowing the status of the Gregory Canyon facility.

Potential visual impacts, particularly from Mission Trails Regional Park south of State Route (SR) 52.

On a clear day, visitors at the north side of the Mission Trails Regional Park Visitor Center, located 3 to 4 miles south-southwest of the landfill site, near Mission Gorge Road, may be able to see some of the northern and western portions of the landfill site through the gap formed by the San Diego River gorge (Mission Gorge). However, most of the site is blocked from view by the mountains adjacent to the Gorge, and the part of

the landfill site topography that is visible is much paler and bluer than those mountains, as a result of the distance and the mechanism of atmospheric perspective.

Impacts that may remain after the landfill is closed, including aesthetic impacts; and the extent to which the grading blends with the existing topography.

The project would substantially alter the natural landform of the Little Sycamore Canyon by excavating the canyon and filling it to create a large land mass resulting in the loss of approximately 13 acres of steep natural slopes. Therefore, a significant impact to steep natural slopes would occur. The landfill would also create new manufactured slopes several hundred feet in height. Therefore, significant direct landform impacts would occur. Although a number of project design measures have been taken to reduce the visual contrast of the project, due to the nature of landfills and the extensive change to natural topography and other ground surface relief features of the proposed project area, no additional feasible mitigation is available to reduce the impacts to natural landforms to below a level of significance. Therefore, impact to natural landforms would remain significant and not fully mitigated.

Landfill expansion is anticipated to take 20-25 years or more to reach the maximum capacity and for the final revegetation plan to be implemented. Impacts to scenic resources and vistas and visual character would be most affected in the outskirts of the urbanized area where natural vacant land would be lost to anticipated urban development. Therefore, short-term cumulative visual impacts would occur. In addition, significant long-term cumulative visual impacts are expected to occur from implementation of the landfill expansion and nearby residential development projects.

No feasible mitigation is known that would reduce these cumulative visual impacts to less than significant. Therefore, they remain significant and not fully mitigated.

Potential ground water and runoff impacts.

With the installation of liners, leachate collection and gas collection systems, as well as the implementation of cover, run-on/run-off controls, monitoring, and landfill closure, the potential for groundwater contamination due to operations in new areas of Sycamore Landfill is remote. These features provide overlapping protection such that if one aspect fails, the other aspects continue to provide adequate levels of protection. This system of overlapping protections has been mandated by state and federal regulations to ensure the protection of groundwater, and conformance with the state and federal antidegradation policies and drinking water standards.

The loss of potential office use by converting the Office-Commercial designated Caltrans right-of-way to landfill use.

A total of 12 acres of "Office Commercial" are shown in the East Elliott Community Plan, which include approximately four acres of the existing landfill entrance facility. The project application requests that the plan designation be changed to "landfill" in

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order to most flexibly manage the operation. Only office-related activities are proposed for the area now designated "office commercial".

The possibility of removing from the plan map and text the "Potential Landfill" west of the existing landfill.

Although it may be possible to remove "Potential Landfill" from the East Elliott plan map and text for the area west of the existing landfill, the City may want to retain the designation and language in order to meet future regional needs should the proposed Gregory Canyon and expanded West Miramar sites not be brought on-line in the near future.

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(R-2008-XXXX)

RESOLUTION NUMBER R	
ADOPTED ON	

WHEREAS, on ______, the City Council of the City of San Diego held a public hearing for the purpose of considering an amendment to the General Plan and the East Elliot Community Plan; and

WHEREAS, Sycamore Landfill, Inc., requested an amendment to the General Plan and the East Elliot Community Plan to expand the capacity, footprint and height of the existing Sycamore Landfill; add or modify ancillary facilities including sedimentation basins, an equipment maintenance facility, perimeter access road, scales and recycling area, and administrative offices; relocate an SDG&E transmission line; continue processing green/wood materials for alternative daily cover and/or beneficial reuse; process construction and demolition (C&D) debris; continue excavation and processing of aggregate materials and change the landfill hours of operation located 8514 Mast Boulevard, from portions including Open Space and Commercial to Landfill, the site is legally described as Portions of Lots 3,4.9 and 10 of the resubdivision of part of Fanita Rancho, Map No. 1703, and a portion of Lot 73 of Rancho Mission, 330, and All that real property relinquished to the City of San Diego per document recorded March, 6, 2008 as Document No. 2008-0117850 of Official Documents Excepting Easement Parcels 26202-2, 26202-2, 26204-4, 26203-2, 26429-2, and 26429-3 all as shown on State Highway Map No. 307 dated March 7, 2001 as File/Page No. 2001-0129708 of Official Documents, City of San Diego, County of San Diego, State of California; and

C00450 ATTACHMENT 12

WHEREAS, City Council Policy 600-7 provides that public hearings to consider revisions to the General Plan for the City of San Diego may be scheduled concurrently with public hearings on proposed community plans in order to retain consistency between said plans and the Planning Commission has held such concurrent public hearings; and

WHEREAS, the Planning Commission of the City of San Diego found the proposed amendment consistent with the General Plan; and

WHEREAS, the Council of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it adopts the amendments to the East Elliot Community Plan, a copy of which is on file in the office of the City Clerk as Document No. RR-_____.

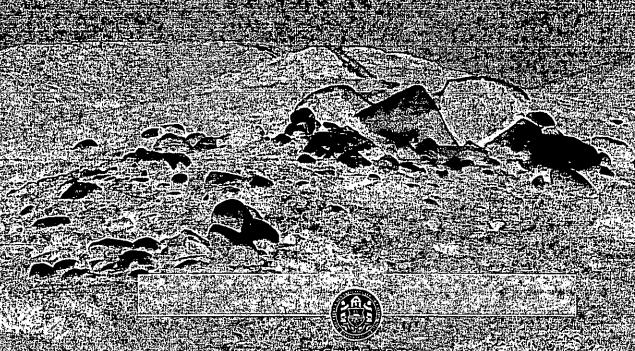
BE IT FURTHER RESOLVED, that the Council adopts an amendment to the General Plan for the City of San Diego to incorporate the above amended plan.

APPROVED: MICHAEL AGUIRRE, City Attorney

Ву	·	
-	Rachel Lipsky	
	Deputy City Attorney	

MJL:pev (date) Or.Dept:DSD R-2008-XXXX COO151 ATTACHMENT 12

Eddidioti Commiy Plan



City Planinning and Community Investment

EAST ELLIOTT COMMUNITY PLAN

San Diego Planning Department

202 C Street, MS4A San Diego, CA 92101



Printed on recycled paper.

This information, or this document (or portions thereof), will be made available in alternative formats upon request.

EAST ELLIOTT COMMUNITY PLAN

The following amendments have been incorporated into this November 2006 posting of this Plan:

Amendment	Date Approved by Planning Commission	Resolution Number	Date Adopted by City Council	Resolution Number
Elliott Community Plan adopted.			April 29, 1971	R-202550
East Elliott community created with the adoption of the Tierrasanta Community Plan which ceded the western portion of the Elliott community to Tierrasanta community.			July 27, 1982	R-256890
Expanded the Open Space area to coincide with the boundaries of the MSCP; reduced the residential acreage in the community; and increased the acreage associated with the landfill.			March 18, 1997	R-288456
Permitted aggregate extraction and processing associated with the landfill through a Planned Development Permit and corrected the increase in landfill acreage to 493 acres.			April 9, 2002	R-296297

EAST ELLIOTT COMMUNITY PLAN

BACKGROUND

For many years, the East Elliott area was a portion of the Elliott Community Plan. This plan was adopted in 1971. Subsequently, most of the original Elliott planning area was removed from the Elliott Community Plan and incorporated in the new Tierrasanta Community and Mission Trails Regional Park Plans. The remaining portion of the Elliott community, known as East Elliott, has remained undeveloped. The previous community plan for this area designated scattered unconnected areas of residential development surrounded by open space. Residential and other forms of urban development are impractical and uneconomical in most of East Elliott because of rugged topography, environmental constraints, lack of utility and road connections and other services, a multiplicity of small ownerships and proximity to the Sycamore Canyon Landfill.

East Elliott is dominated by native vegetation including sage scrub, chaparral, native grassland and oak and sycamore woodland and constitutes one of the largest and biologically most important remaining open space areas in San Diego. The topography is characterized by a series of parallel north-south trending canyons and ridges. A number of endangered and threatened wildlife species inhabit this area.

LAND USE PLAN

Due to the natural resources on site and the factors described above which make urban development infeasible in much of East Elliott, a majority of this area is designated for long-term open space use. As such, a majority of the area (2,259 2,221 acres out of the 2,862 in the East Elliott planning area) will be one of the most important components of the City's Multiple Species Conservation Plan (MSCP). These open space areas will provide habitat for a number of endangered or threatened wildlife species and will provide corridors for wildlife movement from Mission Trails Park northward into the Miramar area.

An approximately 117-acre area on the eastern fringe of East Elliott, adjacent to a residential area in Santee, is designated for residential use. A maximum of 500 single-family residential units can be constructed in this area. Residential use is designated in this area due to its relatively level terrain and proximity to residential and residential serving land uses in Santee. The residential units should be sensitive and similar to the adjacent development in Santee in terms of siting, scale, density and design. Due to a lack of nearby residential development or services in San Diego and proximity to residential development in Santee, deannexation of this 117-acre area to Santee should be considered if, in the future, Santee favors such an annexation.

Twelve Seven acres of commercial office use are is designated in two separate parcels in the vicinity of State Highway 52 and Mast Boulevard. These two This properties property have has excellent road access and have has potential such as accounting, legal and medical offices to residents of eastern San Diego and Santee.

Four Five hundred seventy-four nineteen acres mostly in the Little Sycamore Canyon watershed in the north central portion of the planning area are designated for use as a landfill. A smaller landfill exists in a portion of this area in 1995 (the date that this plan was written) and expansion of this landfill is anticipated. Aggregate mining and processing with the designated landfill area is permitted by Planned Development Permit 40-0765, conditioned upon the mitigation of potential impacts. Potential biological conflicts between the landfill use and adjacent MSCP habitats will be avoided through the landfill operator's adherence to provisions of the MSCP, especially the MSCP adjacency guidelines. If any residential development is proposed within the area planned for open space, the City will encourage it to be located on lands not adjacent to the landfill. After closure of the landfill, and completion of the State-required post-closure monitoring period, the land use designation of the landfill site shall become open space.

This plan also recognizes the possibility that a portion of the area west of Sycamore Canyon (within the Oak and Spring Canyon watershed), which is designated in this plan for open space use, could be considered for use as a landfill in the future. Many environmental factors will need to be carefully considered prior to a decision to expand the landfill area beyond the 474 517 acres in Sycamore Canyon.

The land uses designated for the East Elliott area are summarized in the table below and illustrated in the attached land use map.

Use	Acres
Open Space	2,259 <u>2,221</u>
Residential	117
Commercial	12 <u>7</u>
Landfill	474 <u>517</u>
Total	2,862

LAND USES IN EAST ELLIOTT

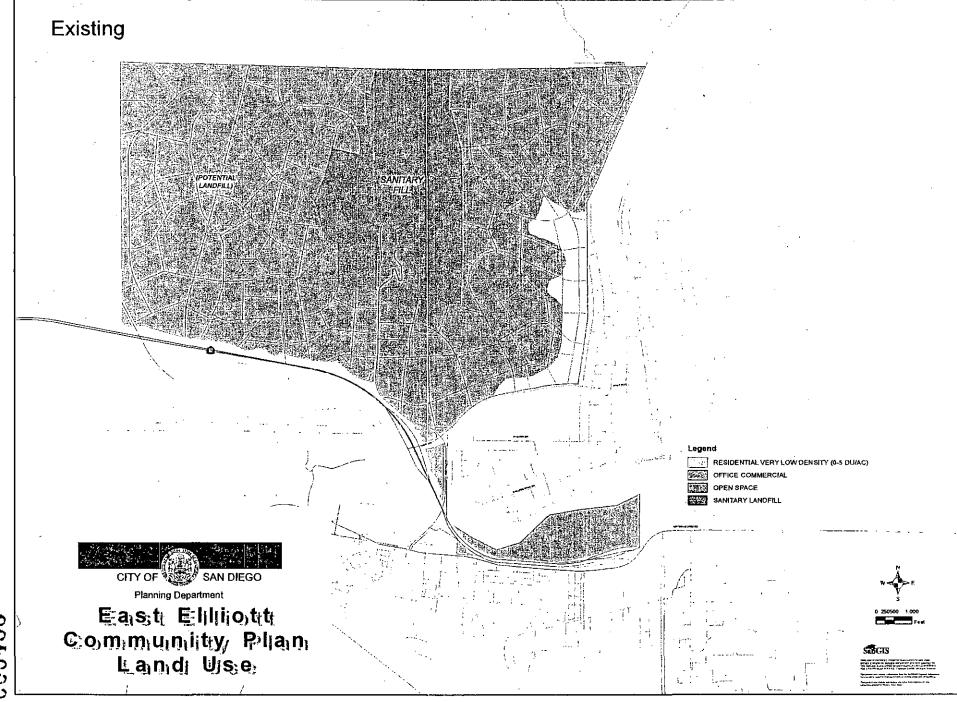
OPEN SPACE MANAGEMENT GUIDELINES

The following guidelines are designed to foster preservation and enhancement of the natural open space areas which cover a majority of this planning area:

- 1. Natural open space areas should remain undeveloped with disturbance limited to trails and passive recreational uses such as walking, hiking and nature study that are consistent with preservation of natural resources.
- 2. More active recreation uses, including horseback riding and mountain biking, may also be permissible if measures are taken to ensure that biological values are not threatened.

- 3. Public access to limited areas of particularly sensitive natural open space could be restricted. Examples of locations where access could be controlled include vernal pool areas and identified nesting areas for endangered or threatened animal or bird species.
- 4. Additional recreational uses may be appropriate along the preserve edge or in the relatively limited open space areas that do not contain sensitive habitat and wildlife. In these areas, horticultural and gardening uses could be permitted on a case-by-case basis. Such uses should not involve construction of permanent structures or paved areas.

- 5. Open space areas which cover an entire ownership should be preserved through means that include, but are not limited to, acquisition by the City with state and federal assistance or by other large property owners as mitigation lands for environmental impacts anticipated on other properties.
- 6. Open space areas which cover portions of an ownership and where reasonable development rights still exist on portions of the ownership, should be dedicated by the owner/developer, through an open space/conservation easement. Long-term maintenance should be provided on an individual basis or by an open space management entity that may be formed to implement the MSCP.
- 7. Disturbed areas designated for open space should be recontoured where feasible, to recreate the natural topography. These areas should also be restored or enhanced where feasible with natural vegetation to return these areas to a natural appearance.
- 8. At locations where roads, railroads or other urban intrusions traverse open space corridors, provisions should be made to minimize habitat fragmentation and to provide for a continuous open space linkage. In some instances, structures such as bridges or culverts should be sited in lower quality habitat or in disturbed areas to the extent possible.
- 9. Transition areas should be established between urban uses and the open space system, along traffic corridors and canyon overlooks, where feasible and appropriate. Such transition areas may be developed by providing additional maintenance and planting non-invasive grass, shrubs and trees that provide a sensitive transition between uses.



Rezone Ordinance

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ORDINANCE NUMBER O	(NEW SERIES)	
ADOPTED O	N	

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 517 ACRES LOCATED AT 8514 MAST BOULEVARD, WITHIN THE EAST ELLIOT COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE AR-1-2 AND RS-1-8 ZONE INTO THE IH-2-1 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0604 AND REPEALING ORDINANCE NO. 10864 (NEW SERIES), ADOPTED JUNE 29, 1972, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INSOFAR AS THE SAME CONFLICT HEREWITH.

WHEREAS, under Charter section 280(a)(2) this ordinance is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required to by law to consider evidence at the hearing and to make legal findings based on evidence presented; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That 517 acres located at 8514 Mast Boulevard, and legally described as as Portions of Lots 3,4.9 and 10 of the resubdivision of part of Fanita Rancho, Map No. 1703, and a portion of Lot 73 of Rancho Mission, 330, and All that real property relinquished to the City of San Diego per document recorded March, 6, 2008 as Document No. 2008-0117850 of Official Documents Excepting Easement Parcels 26202-2, 26202-2, 26204-4, 26203-2, 26429-2, and 26429-3 all as shown on State Highway Map No. 307 dated March 7, 2001 as File/Page No.

000461 ATTACHMENT 13

2001-0129708 of Official Documents, in the East Elliot Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4259, filed in the office of the City Clerk as Document No. OO-______, are rezoned from the AR-1-2 and RS-1-8 zone into the IH-2-1 zone, as the zone described and defined by San Diego Municipal Code Chapter 13 Article 1 Division 6. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. 10864 (New Series), adopted June 29, 1972, of the ordinances of the City of San Diego is repealed insofar as the same conflict with the rezoned uses of the land.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City. Council and the public a day prior to its final passage.

This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date of adoption of this ordinance

APPROVED: MICHAEL AGUIRRE, City Attorney

Ву_		
• -	Rachel Lipsky	
	Deputy City Attorney	

Initials~
Date~
Or.Dept: Development Services
Case No.5617
O-XXXX

ATTACHMENT 000462 CITY OF SAN DIEGO • DEVELOPMENT SERVICES **PROPOSED REZONING** RS-1-8 TO IH-2-1 534.35 ACRES AR-1-2 TO IH-2-1 .47 ACRES VICINITY MAP LOTS 3,4,9,10,71 & 73 of FANITA RHO RESUB, Map No. 1703 CASE NO. 42-1084 REQUEST IH-2-1 ORDINANCE NO. _____ EFF. DATE ORD._ PLANNING COMM. ZONING SUBJ. TO.... RECOMMENDATION DEVELOPMENT SERVICES MANAGER CITY COUNCIL BEFORE DATE ... B-4259 **ACTION** EFF. DATE ZONING _ APN 366-031-14,16, 366-041-01, 366-070-12,13, 366-071-12,33, 366-080-16,25,26,57, 366-081-25 MAP NAME AND NO. -(250-1749) 03-03-08 ldj

RECORDING REQUESTED BY

CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT PERMIT INTAKE, MAIL STATION 501

AND WHEN RECORDED MAIL TO CITY CLERK MAIL STATION 2A THE ORIGINAL OF THIS DOCUMENT
WAS RECORDED ON JUL 12, 2002
DOCUMENT NUMBER 2002-0588221
GREGORY J. SMITH, COUNTY RECORDER
SAN DIEGO COUNTY RECORDER'S OFFICE
TIME: 2:24 PM

SPACE ABOVE THIS LINE FOR RECORDER'S USE

PLANNED DEVELOPMENT PERMIT/SITE DEVELOPMENT PERMIT NO. 40-0765 (MMRP) SYCAMORE LANDFILL CITY COUNCIL

This Planned Development Permit/Site Development Permit No. 40-0765 is granted by the City Council of the City of San Diego to Sycamore Landfill, Inc., a California Corporation, Owner/Permittee, pursuant to the San Diego Municipal Code [SDMC]. The 493-acre site is located at 8514 Mast Boulevard in the RS-1-8 zone of the East Elliott Community Plan area. The project site is legally described as portions of Sections 13 and 14, Township 15 South, Range 2 West, and Sections 7, 18, and 19, Township 15 South, Range 1 West, U.S.G.S. 7.5 Minute La Mesa Quadrangle, San Bernadino Base and Meridian.

Subject to the terms and conditions set forth in this permit, permission is granted to Owner/
Permittee to continue to operate the existing Sycamore Landfill; brush and clear areas of the
Sycamore Landfill site for future landfilling within the boundaries of the approved landfill
Staged Development Plan; to add an aggregate extraction and processing facility; and, to change
the hours of landfilling operations, described as, and identified by size, dimension, quantity, type
and location on the approved Exhibit "A," dated April 9, 2002, on file in the office of the
Development Services Department. The facility shall include:

- An existing solid waste landfill of approximately 493 acres;
- b. Brushing and clearing of the western and southwestern portions of the site within the existing boundaries of the approved landfill Stage Development Plan, in three phases, impacting a total of 205 acres of habitat;
- c. An aggregate extraction and processing facility within the staged development boundaries of the existing landfill. The hours of operation of the aggregate facility

-PAGE 1 OF 7-

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shall be consistent with the hours of landfill operations, while truck ingress and egress associated with the aggregate facility shall be limited to the hours of 9:00 a.m. to 3:00 p.m., Monday through Saturday;

- d. Hours of landfill operations (receiving and processing waste):
 Monday through Friday: 6:00 a.m. to 4:30 p.m.
 Saturday and Sunday: 6:00 a.m. to 4:00 p.m.;
- e. Landscaping (planting and landscape related improvements); and
- f. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted Community Plan, California Environmental Quality Act guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this permit, and any other applicable regulations of the SDMC in effect for this site.
- 1. Construction, grading or demolition must commence and be pursued in a diligent manner within 36 months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within 36 months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the Municipal/Land Development Code requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
- 2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the office of the San Diego County Recorder.
- 3. Unless this permit has been revoked by the City of San Diego the property included by reference within this permit shall be used only for the purposes and under the terms and conditions set forth in this permit unless otherwise authorized by the City Manager.
- 4. This permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this permit and all referenced documents.
- 5. The utilization and continued use of this permit shall be subject to the regulations of this and any other applicable governmental agencies.



- 6. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and/or site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
- 7. The Applicant or its successors shall obtain a grading permit as defined by this permit condition prior to any grading activities within landfill stages II, III or IV, or the small amount of native habitat remaining at the southeast corner of landfill Stage I. The specific requirements of Article 9, Division 6, of the SDMC, Chapter 12 do not apply to this grading permit condition. The following specific requirements apply:
 - a. The required permit application shall be reviewed by Environmental Analysis Section and Multiple Species Conservation Program staff only.
 - b. A decision on the application for a grading permit shall be made in accordance with Process One.
 - c. The grading permit shall be approved if the application demonstrates that the biological mitigation requirements identified in Mitigated Negative Declaration No. 40-0765 have been met for the proposed habitat disturbance.
 - d. The Applicant or its successors shall not begin any work, construction, or use on the property that removes native vegetation within landfill stages I, II, III, or IV until the required permit has been issued.

The Applicant or its successors shall submit a permit application to the City of San Diego Development Service Department. The required permit application shall include three (3) copies of the General Application (Land Development Manual, Volume I, Chapter I, Section 3, Item 1.1). General Application Part 1, Item 2, Project Description, shall indicate which landfill stage; II, III, or IV, or the small amount of native habitat remaining at the southeast corner of landfill Stage I, is proposed for disturbance.

The required permit application shall also include three (3) copies of a biology report addressing the biological resources of the offered mitigation parcel(s), prepared to City of San Diego standards by a qualified biologist. The biology report shall include the habitat mitigation requirement for the proposed landfill stage or aggregate extraction and processing area disturbance. The mitigation requirement shall be as defined by Mitigated Negative Declaration No. 40-0765. The biology report shall demonstrate how the acquired parcel(s) fulfills the mitigation requirement. No further information will be required.

8. This Planned Development Permit/Site Development Permit allows an additional use to the uses approved in CUP No. 6066-PC, CUP No. 6066-PC AM-1, and CUP No. 6066-PC AM-2. The uses and conditions in CUP No. 6066-PC, CUP No. 6066-PC AM-1, and CUP No. 6066-PC AM-2 remain in effect and are not changed or altered with the approval of this permit.

-PAGE 3 OF 7-

- 9. Prior to beginning aggregate extraction and processing facility operations, the applicant shall obtain a Permit to Construct and a Permit to Operate the aggregate facility from the Air Pollution Control District (APCD).
- 10. Any modification to this Permit, including any changes to approved Exhibit "A," dated April 9, 2002, on file in the office of the Development Services Department, shall require a permit amendment.
- 11. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this discretionary permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded special rights which the holder of the Permit is obtaining as a result of this Permit. It is the intent of the City that the Owner of the property which is the subject of this Permit either utilize the property for any use allowed under the zoning and other restrictions which apply to the property or, in the alternative, that the Owner of the property be allowed the special and extraordinary rights conveyed by this Permit, but only if the Owner complies with all the conditions of the Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the new permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove or modify the proposed permit and the condition(s) contained therein.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

12. The applicant shall comply with the Mitigation, Monitoring and Reporting Program (MMRP) as specified in Mitigated Negative Declaration, LDR No. 40-0765, satisfactory to the City Manager and the City Engineer. Prior to issuance of any grading permits and/or building permits, mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue area(s): Biological Resources.

MULTI-SPECIES CONSERVATION PROGRAM (MSCP) REQUIREMENTS:

13. The issuance of this permit by the City of San Diego does not authorize the applicant to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. Section 1531 et seq.).

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- 14. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the ESA and by the California Department of Fish and Game [CDFG] pursuant to Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this permit hereby confers upon Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Permittee by the City: (1) to grant Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this permit and the IA, and (2) to assure Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this permit shall be altered in the future by the City of San Diego, USFWS or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this permit and of full satisfaction by Permittee of mitigation obligations required by this permit, as described in accordance with Section 17.1D of the IA.
- 15. Prior to issuance of a grading permit for the project the applicant must provide assurances to the City Manager that areas within the Multiple Habitat Planning Area [MHPA] are preserved. Adequate notice must be recorded against the title of the property to memorialize the status of the MHPA areas. Options for this type of notice include: (1) Dedication in fee title to the City; (2) Conservation easement or (3) Covenant of easement.

PLANNING/DESIGN REQUIREMENTS:

- 16. This Planned Development Permit allows the current use and proposed use in accordance with SDMC section 143.0403(a)(1). Unlawful uses on any portion of the premises shall be terminated or removed as a requirement of the Planned Development Permit.
- 17. Any future requested amendment to this permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.
- 18. The maximum noise level created by the landfill and the aggregate facility operations shall not exceed 65 dB (A) CNEL at any time as measured at the property line.
- 19. The operation of the landfill, including the aggregate extraction and processing facility, shall not create dust or odor nuisances that extend beyond the property line.
- 20. The aggregate extraction and processing facility shall be limited to areas within the Staged Development Plan boundary of the landfill.

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- 21. All signage associated with this development shall be consistent with sign criteria established by either of the following:
 - a. Approved project sign plan (Exhibit "A," dated April 9, 2002, on file in the office of the Development Services Department); or
 - b. Citywide sign regulations.
- 22. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located.

LANDSCAPE REQUIREMENTS:

- 23. Prior to the implementation of the closure and post-closure plan, the Permittee or subsequent Owner shall provide a final Closure and Post-Closure Maintenance Plan to the Local Enforcement Agency for approval in accordance with State Law.
- 24. Installation of slope planting and other means of erosion control including seeding of all disturbed land (slopes and pads) consistent with the approved Closure and Post-Closure Plans is considered to be in the public interest. The Permittee shall initiate such measures within 30 days after the grading has been accomplished. Drainage and erosion control shall be in accordance with landfill design and operating standards and controls as required by Title 27, California Code of Regulations (27CCR). Final design and maintenance of closed landfill shall be consistent with the approved Final Closure and Postclosure Maintenance Plans and Closure and Postclosure Maintenance Standards for landfills as required by 27 CCR.

TRANSPORTATION REQUIREMENTS:

25. The ingress and egress of truck traffic associated with the aggregate extraction and processing operation site shall be limited to the hours of 9 a.m. to 3 p.m. Mondays through Saturdays.

INFORMATION ONLY

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit/tentative map, may protest the imposition within 90 days of the approval of this development permit/tentative map by filing a written protest with the City Clerk pursuant to California Government Code 66020.

APPROVED by the Council of the City of San Diego on April 9, 2002 by Resolution No. R-296298.

-PAGE 6 OF 7-

AUTHENTICATED BY THE CITY MANAGER

By Edward S. Oliva, Development Services Manager

The undersigned Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Permittee hereunder.

SYCAMORE LANDFILL, INC. a California corporation

Owner/Permittee

By_____

NOTE: Notary acknowledgments must be attached per Civil Code section 1180 et seq.

-PAGE 7 OF 7-

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California	}
County of San Diego	SS.
	
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Phil. LiP D. Hiti Commission # 1273018	evidence
Notary Public - California	to be the person(s) whose name(s) is/are
San Diego County	subscribed to the within instrument and
My Comm. Expires Aug. 6, 200-	acknowledged to me that he/she/they executed
A STATE OF THE STA	the same in his her/their authorized
•	capacity(ies); and that by his her/their
·	signature(a) on the instrument the person(s), or
<i>:</i>	the entity upon behalf of which the person(8)
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	WITNESS my hand and official seal.
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Place Notary Seal Above	Signature of Notary Public
OF	TIONAL —————
- -	v. it may prove valuable to persons relying on the document
and could prevent fraudulent removal an	d realtachment of this form to another document.
Description of Attached Document	
Title or Type of Document:	40-0765 SYCAMORE LANDFILL
Document Date:	Number of Pages:
Document Date.	Number of Fages.
Signer(s) Other Than Named Above:	
Capacity(ies) Claimed by Signer	-
Signer's Name:	RIGHT THUMBPRINT
	OF SIGNER Top of thumb here
☐ Corporate Officer — Title(s):	
☐ Partner — ☐ Limited ☐ General	
☐ Attorney in Fact	
☐ Trustee	
☐ Guardian or Conservator	
7. Oth	

to 1999 National Notary Association • 9350 De Solo Ave. P.O. Box 2402 • Chalsworth, CA 91313-2402 • www.nationalnotary.org

Prod No 5907

Reorder, Call Toll-Free 1-800-876-6827



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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

<u> </u>	<u> </u>
State of California	1
County of San Diego	} ss.
on July 11, 2002 hafora ma F	Phillip D. Hill, Notary Public Name and Title of Officer (e.g., "Jane Doe, Notary Public")
Date	Name and Title of Officer (e.g., "Jane Doe, Norary Public")
personally appearedEDw	ARD S. OLIVA
	personally known to me proved to me on the basis of satisfac evidence
Photoir D. Hill Commission #12/3018 Notary Public - California \$ San Diego County My Comm. Baires Aug 6, 2004	to be the person(s) whose name(s) is subscribed to the within instrument acknowledged to me that he/she/they executhe same in his/her/their authoricapacity(ies), and that by his/her/their signature(s) on the instrument the person(s) the entity upon behalf of which the person acted, executed the instrument.
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Though the information below is not required by la	PTIONAL w, it may prove valuable to persons relying on the document of this form to another document.
Description of Attached Document Title or Type of Document: PDP SDP 4	10.0765 SYCAMORE LANDFILL
	Number of Pages:
Signer(s) Other Than Named Above:	·
- Capacity(ies) Claimed by Signer	
Signer's Name:	RIGHT THUMBP OF SIGNER
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☐ Trustee ☐ Guardian or Conservator	
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(R-2002-1446)

RESOLUTION NUMBER R-296298 ADOPTED ON APRIL 9, 2002

WHEREAS, Sycamore Landfill, Inc., Owner/Permittee, filed an application with the City of San Diego for a Planned Development Permit/Site Development Permit/MHPA Boundary Adjustment No. 40-0765 to brush and clear areas of the existing Sycamore Landfill; add a sand and gravel extraction and processing operation; and to change the landfill hours of operation, which is known as the Sycamore Landfill project, on portions of a 493-acre site located at 9514 Mast Boulevard, and legally described as portions of Sections 13 and 14, Township 15 South, Range 2 West, and Sections 7, 18, and 19, Township 15 South, Range 1 West, San Bernardino Baseline and Meridian, in the RS-1-8 zone and the Mission Trails Design District Overlay Zone of the East Elliott Community Plan area; and

WHEREAS, on February 7, 2002, the Planning Commission of the City of San Diego considered Planned Development Permit/Site Development Permit/MHPA Boundary Adjustment No. 40-0765, and pursuant to Resolution No. 3233-PC voted to recommend City Council approval of the project; and

WHEREAS, the matter was set for public hearing on April 9, 2002, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Planned Development Permit/Site Development Permit/MHPA Boundary Adjustment No. 40-0765:

FINDINGS:

A. FINDINGS FOR PLANNED DEVELOPMENT PERMIT APPROVAL - SAN DIEGO MUNICIPAL CODE [SDMC] SECTION 126.0604

plan. The proposed development will not adversely affect the applicable land use plan. The proposed development is located in the existing Sycamore Landfill, which is located within the East Elliott Community Planning Area. The City first permitted the Sycamore Landfill under Conditional Use Permit [CUP] No. 6066 in 1963. The 1971 Elliot Community Plan [Community Plan] recognized the landfill use and designated the site for solid waste disposal. In 1977, the City Council amended the Community Plan and the CUP to increase the landfill site designation to 493 acres, and the project is consistent with that amendment. The Community Plan also recognizes the potential that the landfill use might need to be expanded to the west in the future. The proposed project does not conflict with any of the Community Plan's goals, objectives or recommendations; however, the Community Plan does not currently expressly allow aggregate extraction and processing within the identified landfill site, thus a community plan amendment is necessary to permit the aggregate processing operations consistent with the proposed Planned Development Permit. Once the Community Plan Amendment is approved, the land uses at the landfill site will be consistent with the Community Plan.

The proposed project is consistent with the Multiple Species Conservation Program [MSCP]. In 1995, the County of San Diego issued a Habitat Loss Permit [HLP] for removal of 10.6 acres of grassland/coastal sage scrub habitat as part of the approved landfill operations. In March 1997, the City of San Diego entered into an agreement with the U.S. Fish and Wildlife Service to establish a Multiple-Habitat Planning Area [MHPA] in the vicinity of the landfill as part of implementation of the MSCP in San Diego County. The landfill site itself is not included in the MHPA, but the MHPA is adjacent to the landfill property boundaries. An area of 0.5 acres in size on the western side of the landfill property is proposed for deletion from the MHPA, while a corresponding 0.5- acre area on the landfill's eastern boundary would be added to the MHPA, resulting in no net change in the MHPA acreage. Following a meeting on October 10, 2001, both the California Department of Fish and Game and U.S. Fish and Wildlife Service concurred with the MHPA 0.5-acre boundary adjustment. Full development of the landfill as allowed by existing state and regional permits would result in removal of more than 150 acres of native habitat; however, the project will fully mitigate such impacts as required by the City of San Diego Land Development Code. The landfill operation would comply with the MSCP Subarea Plan Adjacency Guidelines. There would be no significant impacts to the habitat, wildlife movements, preserve conservation or management of the MHPA as a result of the project. Thus, the proposed project has been designed in harmony with the applicable land use plans, and therefore it will not adversely affect those plans.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The proposed project has been designed to conform to the City of San Diego's codes, policies, and regulations, the primary focus of which is the protection of the public's health, safety, and welfare. The project has been reviewed by City staff, and is consistent with the Community Plan, the California Environmental Quality Act, the City's environmental

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regulations, the MSCP and MHPA, landscaping and brush management policies, and the Fire Department's fire protection policies.

No area of the project site is covered by a 100-year floodplain, so flood hazards are not present on the site. The project will not result in undue risks from geological hazards, erosional forces or fire hazards. The landfill is regulated by the State Water Resources Control Board's Water Quality Control Plan Report for the San Diego Basin. The Basin Plan designates beneficial uses, water quality objectives, and prohibitions applicable to the discharges regulated under Order No. 99-74, Waste Discharge Requirements for the Sycamore Landfill, adopted October 13, 1999. These regulations and conditions would continue to be applicable to the Sycamore Landfill, and with compliance as required no significant impact to water quality would occur. The landfill implements run-on/runoff controls and other best management practices [BMPs] such as desilting basins to reduce off-site erosion/siltation effects to below a level of significance. The Sycamore Landfill has a National Pollution Discharge Elimination System [NPDES] permit which addresses storm water management complete with a storm water pollution prevention plan.

No sensitive human receptors such as residences or schools are located close to the existing landfill area - the nearest school is 3,000 feet southwest of the southeastern boundary, and the closest residential development is approximately 3,500 feet east and south of the site. The Sycamore Landfill operates under Permit No. 971111 issued by the County of San Diego Air Pollution Control District [APCD]. Under the current operational permit, there are no allowed releases of odors or dust from any part of the landfill, associated landfill operations or on-site equipment that exceed the applicable visible emission or public nuisance standards specified in the APCD rules and regulations. No air-related change in landfill operations is requested except for opening one hour earlier, and the current APCD requirements would remain in effect. As a result, no significant air quality impacts would occur due to the requested landfill operational changes. The existing APCD Permit No. 97111 does not cover the proposed aggregate extraction and processing operations. Odors or dust associated with the proposed aggregate extraction and processing operations (if any) will be subject to a separate APCD permit which would require that potential dust impacts be mitigated. If permitted by the APCD and all applicable operating conditions are met, no significant air quality impacts would be expected from the proposed aggregate extraction and processing operations. The current APCD requirements would remain in effect for landfill operations if the project is approved.

The project consists of the removal of certain sensitive biological resources for landfill development, the addition of aggregate extraction and processing operations and a slight revision to the hours of landfill operations. None of these items would require the need for new or altered governmental services. With implementation of the air quality mitigation measures and the requirement for an air quality permit for the aggregate extraction and processing operations, none of the activities proposed as part of the project will create a health hazard or potential health hazard.

3. The proposed development will comply with the regulations of the Land Development Code. The proposed project has been designed to comply with all development regulations of the SDMC and the City's Land Development Code, including the requirements for

a site development permit to protect, preserve and, where damaged, restore environmentally sensitive lands, as further discussed below. Implementation of the proposed project will not require any deviations from the SDMC or the Land Development Code other than the Environmentally Sensitive Lands Deviations more fully described in Finding B.3. below.

- The proposed development, when considered as a whole, will be beneficial to the community. The project provides landfill operations for a large portion of the San Diego region, and the project would allow future land filling within the boundaries of the approved landfill Staged Development Plan to further accommodate the region's needs. In addition, the project would allow an aggregate extraction and processing operation that would process materials removed in the continued landfill development, providing aggregate materials used in regional construction. Natural soil conditions at the landfill include substantial quantities of rock and cobblestone. The landfill would like to establish an aggregate extraction operation on site to process this material for removal and beneficial reuse off-site. Allowing the change in hours of operation to begin at 6 a.m., when the gates open, instead of 7 a.m., will improve traffic conditions. Under the current operating hours, trucks begin to weigh in at 6 a.m. but cannot begin disposing of waste until 7 a.m., resulting in additional trucks on Mast Boulevard and State Route 52 during the morning peak hour traffic period. Allowing land filling to begin at 6 a.m. will allow these trucks to leave the landfill prior to the morning peak hour traffic, resulting in less interference with residents attempting to enter State Route 52 on Mast Boulevard during that time. The project implements the Community Plan, as amended, and therefore will be beneficial to the community as a whole.
 - 5. Any proposed deviations pursuant to SDMC section 126.0602[b][1] are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone. The proposed project has been designed to comply with all development regulations of the SDMC and the San Diego Land Development Code and implementation of the project will not require any deviations from the SDMC or Land Development Code, except as provided in Exhibit C below regarding the Environmentally Sensitive Lands Deviations which are fully described therein.

B. FINDINGS FOR SITE DEVELOPMENT PERMIT APPROVAL - SDMC SECTION 126.0504

- 1. Findings for all Site Development Permits:
- a. The proposed development will not adversely affect the applicable land use plan. The proposed development is located in the existing Sycamore Landfill, which is located within the Elliott Community Planning Area. The City first permitted the Sycamore Landfill under CUP No. 6066 in 1963. The 1971 Elliot Community Plan [Community Plan] recognized the landfill use and designated the site for solid waste disposal. In 1977, the City Council amended the Community Plan and the CUP to increase the landfill site designation to 474 acres, and the project is consistent with that amendment. The Community Plan also recognizes the potential that the landfill use might need to be expanded to the west in the future. The

proposed project does not conflict with any of the Community Plan's goals, objectives or recommendations, however, the Community Plan does not currently expressly allow aggregate extraction and processing within the identified landfill site, thus a community plan amendment is necessary to permit the aggregate extraction and processing operations consistent with the proposed Planned Development Permit. Once the Community Plan Amendment is approved, the land uses at the landfill site will be consistent with the Community Plan.

The proposed project is consistent with the Multiple Species Conservation Program [MSCP]. In 1995, the County of San Diego issued a Habitat Loss Permit [HLP] for removal of 10.6 acres of grassland/coastal sage scrub habitat as part of the approved landfill operations. In March 1997, the City of San Diego entered into an agreement with the U.S. Fish & Wildlife Service to establish a Multiple-Habitat Planning Area [MHPA] in the vicinity of the landfill as part of implementation of the MSCP in San Diego County. The landfill site itself is not included in the MHPA, but the MHPA is adjacent to the landfill property boundaries. An area of 0.5 acres in size on the western side of the landfill property is proposed for deletion from the MHPA, while a corresponding 0.5acre area on the landfill's western boundary would be added to the MHPA, resulting in no net change in the MHPA acreage. Following a meeting on October 10, 2001, both the California Department of Fish and Game and U.S. Fish and Wildlife Service concurred with the MHPA 0.5acre boundary adjustment. Full development of the landfill as allowed by existing state and regional permits would result in removal of more than 150 acres of native habitat; however, the project will fully mitigate such impacts as required by the City of San Diego Land Development Code. The landfill operation would comply with the MSCP Subarea Plan Adjacency Guidelines. There would be no significant impacts to the habitat, wildlife movements, preserve conservation or management of the MHPA as a result of the project. Thus, the proposed project has been designed in harmony with the applicable land use plans, and therefore it will not adversely affect those plans.

b. The proposed development will not be detrimental to the public health, safety, and welfare. The proposed project has been designed to conform to the City of San Diego's codes, policies, and regulations, the primary focus of which is the protection of the public's health, safety, and welfare. The project has been reviewed extensively by City staff, and is consistent with the Community Plan, the California Environmental Quality Act, the City's environmental regulations, the MSCP and MHPA, landscaping and brush management policies, and the Fire Department's fire protection policies.

No area of the project site is covered by a 100-year floodplain, so flood hazards are not present on the site. The project will not result in undue risks from geological hazards, erosional forces or fire hazards. The landfill is regulated by the State Water Resources Control Board's Water Quality Control Plan Report for the San Diego Basin. The Basin Plan designates beneficial uses, water quality objectives, and prohibitions applicable to the discharges regulated under Order No. 99-74, Waste Discharge Requirements for the Sycamore Landfill, adopted October 13, 1999. These regulations and conditions would continue to be applicable to the Sycamore Landfill, and with compliance as required no significant impact to water quality would occur. The landfill implements run-on/runoff controls and other BMPs such as desilting basins to reduce off-site erosion/siltation effects to below a level of significance.

No sensitive human receptors such as residences or schools are located close to the existing landfill area - the nearest school is 3,000 feet southwest of the southeastern boundary, and the closest residential development is approximately 3,500 feet east and south of the site. The Sycamore Landfill operates under Permit No. 971111 issued by the County of San Diego Air Pollution Control District [APCD]. Under the current operational permit, there are no allowed releases of odors or dust from any part of the landfill, associated landfill operations or on-site equipment that exceed the applicable visible emission or public nuisance standards specified in the APCD rules and regulations. No air-related change in landfill operations is requested except for opening one hour earlier, and the current APCD requirements would remain in effect. As a result, no significant air quality impacts would occur due to the requested landfill operational changes. The existing APCD Permit No. 97111 does not cover the proposed aggregate extraction and processing operations. Odors or dust associated with the proposed aggregate extraction and processing operations (if any) will be subject to a separate APCD permit which would require that potential dust impacts be mitigated. If permitted by the APCD and all applicable operating conditions are met, no significant air quality impacts would be expected from the proposed aggregate extraction and processing operations. The current APCD requirements would remain in effect for landfill operations if the project were approved.

The project consists of the removal of certain sensitive biological resources for landfill development, the addition of aggregate extraction and processing operations and a slight revision to the hours of landfill operations. None of these items would require the need for new or altered governmental services. With implementation of the air quality mitigation measures and the requirement for an air quality permit for the aggregate extraction and processing operations, none of the activities proposed as part of the project will create a health hazard or potential health hazard.

- c. The proposed development will comply with the applicable regulations of the Land Development Code. The proposed project has been designed to comply with all development regulations of the SDMC and the City's Land Development Code, including the requirements for a site development permit to protect, preserve and, where damaged, restore environmentally sensitive lands, as further discussed below. Implementation of the proposed project will not require any deviations from the SDMC or the Land Development Code other than the Environmentally Sensitive Lands Deviations more fully described below.
- 2. Supplemental Findings--Environmentally Sensitive Lands: These supplemental findings are necessary because the Sycamore Landfill project would result in impacts to environmentally sensitive lands. Specifically, the project would result in impacts to 205 acres of native habitat within Little Sycamore Canyon, and would excavate and subsequently cover approximately 191 acres of lands with slopes greater than 25 percent.
- a. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

Physically suitable...

- The site has been a landfill for more than 35 years, having been initially approved for that use by the City of San Diego in 1963 (CUP No. 6066 PC).
- The present 493-acre site was approved for expansion for landfill purposes by the City of San Diego in 1974 (CUP No. 6066 PC Amendment 1).
- The current Staged Development Plan for the entire site was approved by the State of California and the LEA in 1994 (see Sycamore Landfill Report of Landfill Disposal Information [RDSI], Oct. 24, 2000).
- Sycamore Landfill complies with all applicable regulations for landfill operation (RDSI, 2000).

Minimum disturbance to environmentally sensitive lands...

Given that the approved use of the site is for a municipal solid waste [MSW] landfill that will fill much of Little Sycamore Canyon...

- The project will affect no 100-year floodplains, no coastal beaches, and no coastal bluffs; there are none located on the project site. The site is located approximately fifteen miles from the Pacific Ocean, and contains no 100-year flood areas, according to the Federal Emergency Management Agency [FEMA] maps (TRC, 1998).
- •Continued landfill development on the site is expected to remove 205 acres of biological resources (MND, p. 4), the minimum necessary to implement the approved landfill design. These resources were specifically excluded from the MHPA, which surrounds the landfill site. The biological impacts will be mitigated in accordance with the mitigation ratios in the City's Biological Guidelines.
- The design avoids impacts to the ridges where sensitive plants [Dudleya variegata] grow, the proposed project avoids approximately 76 percent of the individual Dudleya variegata plants located within the site (MND, p. 5). This is more than is required by the MSCP Subarea Plan.
- The area of steep slopes within Little Sycamore Canyon that will be excavated and be subsequently covered with MSW and cover materials will be kept to the minimum necessary to implement the approved landfill design.
- b. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

Minimize landform alteration...

- •As described under Finding 2a above, the approved design for the development is for an MSW landfill that will fill much of Little Sycamore Canyon. Within that context, landforms will be altered the minimum amount needed to implement the approved landfill design.
- •Any proposed substantive changes to the approved design must be reviewed and approved by the City of San Diego, the City's LEA, the APCD, the RWQCB, and the California Integrated Waste Management Board.

No undue risk from geologic forces...

- •No moderate to large earthquakes have occurred within the greater San Diego area during historic times (Geotechnical Characterization Report, Sycamore Landfill, TRC, 1998).
- •The largest estimated ground acceleration at the site that would result from a Maximum Probable Earthquake [MPE] at the nearest active fault zones was calculated at 0.2 g. This would result from a magnitude 6.0 earthquake on the La Nacion fault, located approximately 7.25 miles southwest of Sycamore Landfill (TRC, 1998).
- •TRC found that there would be little or no likelihood of the following secondary effects of a major regional earthquake at the Sycamore Landfill site: liquefaction, induce flooding, induced land subsidence, or major induced landslides (TRC, 1998).

No undue risk from erosional forces...

- The site is not subject to any erosional forces that might preclude its use for landfill purposes. RWQCB Order No. 99-74 lists Waste Discharge Requirements for Sycamore Landfill, that among other topics, addresses erosion control requirements.
- Item 12 of Order No. 99-74 requires that "annually, by October 31, the discharger shall implement adequate erosion control measures, maintenance and repair of the landfill cover, drainage control facilities and use soil stabilization practices on all disturbed areas of the landfill to prevent erosion or flooding of the facility and to prevent surface drainage from contacting or percolating through wastes" (RWQCB, 1999).
- •Other erosion control measures are listed in Order No. 99-74, Items 18-24 (RWQCB, 1999).



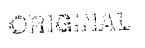
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No undue risk from flood hazards...

• The site is not located in a flood hazard zone, according to FEMA maps.

No undue risk from fire hazards...

- ●In general, the landfill site is not at risk from brush fires. Access to the non-landfill portions of the site are strictly controlled. The working areas of the landfill consist mostly areas of bare soil, with only a small working face where MSW is deposited for the day. That area is covered each day, and a new landfill cell is begun on the following day.
- •Landfill employees are trained in operational procedures to be followed when dealing with hot loads and fires detected in operational areas. In the event that a waste load is received that is smoking or on fire, landfill personnel direct it to be unloaded in an unvegetated area away from the working face. Appropriate fire fighting activities are implemented immediately thereafter. The vehicles, scale house, and maintenance area are equipped with suitable fire extinguishers for minor fire suppression. A stockpile of soil to be used for fire fighting purposes is maintained near the working face (Sycamore Landfill RDSI, pp. 16-17).
- c. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands. Lands located immediately west, east and south of the landfill site are part of the MSCP Subarea Plan's MHPA Eastern Area, and are considered environmentally sensitive. However, the landfill site itself has been excluded from the MHPA, and is designated for continued use for landfill purposes. The proposed development will prevent adverse impacts to those adjacent environmentally sensitive lands by:
 - •Keeping landfill area development within and set back from the ridgelines that define Little Sycamore Canyon.
 - •Minimizing development of ancillary facilities (such as permit-required water monitoring wells and gas probes) on landfill property that is west of the ridgeline between Spring Canyon (within the MHPA) and Little Sycamore Canyon (see Mitigation Measure 3, MND, p. 3; also discussion on MND, pp. 8-9).
 - Complying with all City of San Diego MSCP Adjacency Guidelines (see MND, pp. 9-10).
 - •Conducting annual surveys for presence of California gnatcatchers in adjacent MHPA lands, and identifying and implementing acoustical separation zones to preclude noise from nearby landfilling operations from exceeding 60 dB(A) hourly average at those gnatcatcher locations (see Mitigation Measure 2, MND, p. 2; also discussion on MND, p. 10).



- d. The proposed development will be consistent with the City of San Diego's MSCP Subarea Plan. The proposed development will mitigate for impacts to sensitive biological habitats in accordance with City-prescribed mitigation ratios (see Mitigation Measure 4, MND pp. 3-4). In addition, the proposed development will avoid 76 percent of identified individuals of Dudleya variegata, a narrow endemic species; will protect Dudleya variegata adjacent to landfilling operations through fencing and monitoring; and will implement a translocation program for the 24 percent of Dudleya variegata that would otherwise be lost (Mitigation Measure 6, MND pp. 5-8). A 0.5-acre adjustment to MHPA boundaries is proposed to preclude potential noise impacts to an area of the existing MHPA located on top of the eastern ridgeline of Spring Canyon.
- e. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply. The site, when fully developed, would cover ephemeral drainages on-site that total approximately 2.2 miles in length. Water only flows in these drainages immediately after rains. The drainages are minor tributaries to the San Diego River, located approximately 0.8 mile to the south. As undeveloped natural drainages, existing annual sediment production is low. Following further landfill development, any sediment from the site would be captured in landfill-operated desilting basins. The net change in sediment loading downstream would be de minimis. Continued development of the landfill site would result in no discernible change in beach sand supply.
- f. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development. The required mitigation (listed in MND, pages 2-8) has been determined to mitigate potential negative impacts from the development, and includes measures set forth in the MSCP, the Land Development Code, and the City's Biology Guidelines, all of which were implemented by the City of San Diego to alleviate adverse impacts to environmental resources.
- 3. Supplemental Findings—Environmentally Sensitive Lands Deviations (SDMC section 126.0504(b)). The supplemental findings are necessary because the Sycamore Landfill project does not fully comply with the development regulations prescribed by the City of San Diego Environmentally Sensitive Lands [ESL] regulations. Specifically, SLI cannot avoid impacts to 2.71 acres of City of San Diego wetlands as required by SDMC section 143.0141(b).

These include 2.61 acres of non-vegetated ephemeral drainages, and 0.10 acre of Mule Fat scrub. In addition, implementation of the project as proposed would result in development of lands with slopes greater than 25 percent in excess of the amounts allowed by SDMC section 143.0142(a)(2).

a. There are no feasible measures that can further minimize the potential adverse effects on environmentally sensitive lands.

Wetlands

Measures that might be used to minimize potential adverse effects on identified wetlands include (1) total avoidance of all wetlands impacts; (2) minimization of impacts to wetlands; or (3) provision of additional mitigation. These topics are addressed in order below.

Total Avoidance of All Wetlands Impacts

Existing CUP

On May 1, 1974, the City of San Diego approved CUP Amendment No. 6066-PC/Amendment that authorized the 380-acre expansion of the existing Sycamore Landfill from 113 acres to parcels totaling 493 acres. The landfill development concept associated with the approval was a series of oversize plans identified as Exhibit A, dated January 16, 1974. These plans depict a landfill design that substantially fills Little Sycamore Canyon, but whose western and eastern edges are set back slightly from the adjacent ridgelines. All of the drainages that are the topic of this discussion were approved to be filled by the City of San Diego in that 1974 action. Total avoidance of these drainages would be inconsistent with that earlier City permit.

New Landfill Site - Spring Canyon

One way to avoid impacts to any of the wetlands identified on-site would be to abandon development of the permitted Sycamore Landfill site, and to permit and develop a new landfill in a location in which no wetlands exist. The only alternative landfill site identified within the City of San Diego is in Spring Canyon, the canyon located immediately west of the Sycamore Landfill site. Spring Canyon contains higher-quality wetlands than does Little Sycamore Canyon, such as freshwater marsh and Sycamore woodland. Therefore, development of Spring Canyon as a landfill, even if it could be done in a timely manner, would not reduce wetlands impacts that would occur.

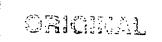
No Wildlife Agency Comments on Wetlands

SDMC section 143.0141[a] directs that the "applicant shall, to the maximum extent feasible, incorporate the Resource Agencies' [wetlands] recommendations prior to the first public hearing." The Resource Agencies did not request avoidance of all wetlands in their November 30, 2001 comment letter to the draft Mitigated Negative Declaration. There is no reason to suspect that the Resource Agencies will not issue permits to fill the City of San Diego wetlands located on-site.

Minimization of Wetlands Impacts

New Landfill Design on the Existing Site

It would be possible to prepare an alternative landfill design for the approved Sycamore Landfill site design to minimize anticipated impacts to ephemeral drainages and to the small area of Mule



Fat scrub. Such a design would result in small, fragmented landfill cells, sandwiched between the ephemeral drainages that run intermittently down the slopes and at the canyon bottom. Only a small fraction of the capacity of the permitted landfill design would be able to accommodate San Diego-area solid waste. When that capacity was reached, a new landfill in another location would be required, which likely would have the same or more severe impacts to wetlands. Environmental issues associated with such a situation were addressed on the previous page under the heading "New Landfill Site – Spring Canyon."

Additional Mitigation

City Requirements

On-site Mule Fat scrub is considered wetland under City of San Diego definitions, and impacts to such lands must be mitigated using a 2:1 mitigation ratio, according to San Diego Land Development Manual Biology Guidelines. The non-vegetated ephemeral drainages onsite are considered wetlands by the City of San Diego Land Development Code Biology Guidelines, Table 2, which require 2:1 mitigation for natural flood channels or freshwater marsh. Total mitigation for impacts to Mule Fat scrub and non-vegetated ephemeral drainage under the City's regulations would be 0.20 acre of Mule Fat scrub, plus 5.22 acres of non-vegetated ephemeral drainage.

State Requirements

On-site Mule Fat scrub is considered wetland under State of California definitions, and impacts to such lands must be mitigated using a 2:1 mitigation ratio. The non-vegetated ephemeral drainages onsite are considered wetlands by the California Department of Fish and Game, whose mitigation guidelines require a 1:1 ratio. Total mitigation requirements for the 2.61 acres of ephemeral drainages would be 2.61 acres, plus 0.20 acres for mitigation of 0.10 acres of Mule Fat scrub. Implementation of the City's mitigation requirements would meet or exceed state or federal mitigation requirements.

Proposed Wetlands Mitigation

SLI proposes to mitigate all impacts to wetlands in accordance with all applicable local, state and federal regulations. Mitigation amounts will comply with City of San Diego requirements, as listed in Table A of the MND document of October 29, 2001. That is, at least 5.42 acres of wetland mitigation will be provided for the disturbance of 2.71 acres of ephemeral drainages and Mule Fat scrub. The mitigation would result in "no-net-loss" of wetlands.

SLI has agreed to comply with City mitigation requirements. There are no feasible additional mitigation measures that further reduce the impacts, given that the project mitigation already results in no net loss.

Steep Slopes

The site on which Sycamore Landfill is located comprises approximately 493 acres. Of that area, approximately 198 acres has been developed for Stage I of the landfill, there are 14 acres south of Stage I that are undeveloped, and not proposed for disposal of wastes, and 281 acres currently undeveloped within which further, approved, landfill development is requested. Most of the land (68 percent) within the 281-acre area has topographic slopes of 25 percent or greater (IT Corporation, Slope Analysis Plan, Sheet C-3, 2001). Those areas with slopes less than 25 percent are comprised of the canyon bottoms (which are environmentally-sensitive wetlands areas) and the ridge tops (which contain concentrations of *Dudleya variegata* and other sensitive plant species).

Measures that might be used to minimize potential adverse effects on steep slopes include (1) total avoidance of areas of the site containing steep slopes; or (2) minimization of impacts to steep slopes.

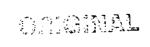
Total Avoidance of Steep Slope Impacts

Existing CUP

On May 1, 1974, the City of San Diego approved CUP Amendment No. 6066-PC/Amendment that authorized the 380-acre expansion of the existing Sycamore Landfill from 113 acres to parcels totaling 493 acres. The landfill development concept associated with the approval was a series of oversize plans identified as Exhibit A, dated January 16, 1974. These plans depict a landfill design that substantially fills Little Sycamore Canyon, but whose western and eastern edges are set back slightly from the adjacent ridgelines. All of the steep slopes that are the topic of this discussion were approved to be modified by the City of San Diego in that 1974 action. Total avoidance of steep slopes within this site would be inconsistent with that earlier City permit.

New Landfill Site - Spring Canyon

One way to avoid impacts to any of the steep slopes identified on-site would be to abandon development of the permitted Sycamore Landfill site, and to permit and develop a new landfill in a location in which no steep slopes exist. The only alternative landfill site identified within the City of San Diego is in Spring Canyon, the canyon located immediately west of the Sycamore Landfill site. Spring Canyon, as a topographic feature immediately adjacent to the subject site, also contains many acres of lands with slopes greater than 25 percent. Therefore, development of Spring Canyon as a landfill, even if it could be done in a timely manner, would not substantially reduce steep slope impacts.



Minimization of Steep Slope Impacts

New Landfill Design on the Existing Site

It would be possible to prepare an alternative landfill design for the Sycamore Landfill site to minimize use of lands with slopes greater than 25 percent. However, such a design by definition would be comprised of a small landfill cell located in the drainage at the canyon bottom. As noted before, this location is among the most sensitive on the site. Thus, such a design would be infeasible. Such a design, if approved, would have only a small fraction of the capacity of the permitted landfill design. When that capacity was reached, a new landfill in another location would be required. Environmental issues associated with such a situation were addressed above under the heading "New Landfill Site – Spring Canyon."

b. The proposed deviation is the minimum necessary to afford relief from special circumstances or conditions of the land, not of the applicant's making.

Introduction

Sycamore Landfill has operated for more than 35 years. On May 1, 1974, the City of San Diego approved CUP Amendment No. 6066-PC – Amendment 1 that authorized the 380-acre expansion of the existing Sycamore Landfill from 113 acres to parcels totaling 493 acres. The landfill development concept associated with the approval shows a landfill design that substantially fills Little Sycamore Canyon. All of the drainages and steep slopes that are the topics of this discussion were approved to be filled by the City of San Diego in that 1974 action.

The 1996 San Diego County Integrated Waste Management Plan [CIWMP], prepared with the cooperation and approval of the City of San Diego, addressed the capacity of existing permitted landfills within the County of San Diego. State regulations (CCR 18755.3) requires that each County or Regional Agency must identify disposal facilities that provide at least 15-years of remaining landfill capacity for the region. The CIWMP utilized a remaining capacity of 28.8 million cubic yards for Sycamore Landfill in 1995. This is nearly one-third of the County-wide available landfill capacity, thus if landfilling according to the approved plan is not allowed because the deviation is not approved, the result would be loss of planned County-wide solid waste disposal capacity, non-compliance with state solid waste regulations, and the need to site, permit, and develop additional landfills years earlier than anticipated.

The planned future solid waste disposal capacity at Sycamore Landfill is a special circumstance not of the applicant's making. The proposed deviation is the minimum necessary to allow the applicant to develop the planned future disposal capacity identified in the CIWMP.

Wetlands

If Sycamore Landfill, Inc. is not allowed to fill the 2.61 acres of non-vegetated ephemeral drainages and the 0.10 acre of Mule Fat scrub on-site, as approved by the City in 1974, the result would be the loss of many years of County-wide solid waste disposal capacity, and the need to

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select, permit and develop one or more additional landfills years earlier than anticipated by local solid waste planners, and that likely would have the same or more severe impacts.

As described in the discussion of Finding 1, all impacts to City of San Diego-defined wetlands will be mitigated in accordance with City-mandated mitigation ratios.

The MSCP Subarea Plan, prepared by the City and approved by the Wildlife Agencies in 1997, did not include the landfill property within the MHPA, which completely surrounds the landfill property. The Plan (page 15) explicitly accepts the presence and continued operation of the existing landfill, which will eventually be restored and used for passive park/open space preserve functions.

For these reasons, the proposed deviation is the minimum necessary to afford relief from special circumstances or conditions of the land not of SLI's making.

Steep Slopes

If Sycamore Landfill, Inc. is not allowed to excavate and fill the steep slopes areas within the landfill property, as approved by the City in 1974, the result would be the loss of many years of planned County-wide solid waste disposal capacity, and the need to find, select, permit and develop one or more additional landfills years earlier than anticipated by local solid waste planners, that likely would have the same or more severe impacts.

In 1997, the City of San Diego entered into a Memorandum of Understanding [MOU] with Allied Waste Industries to give the City the sole right to purchase Sycamore Landfill from Allied at any time during the subsequent 20 years. One clause of that MOU states that "During the Term of the Landfill Development Agreement (20 years), the parties will agree to cooperate in all aspects of the future development and operation of the Sycamore Canyon Landfill. The parties recognize that all such future development and operation of the Sycamore Canyon Landfill shall seek to preserve the maximum disposal capacity for future City use." The City's only landfill, Miramar Landfill, may close as early as 2008. If the City does not allow excavation and filling of the steep slope areas within Little Sycamore Canyon, in accordance with the 1974 CUP Amendment, it would adversely affect the capacity of a solid waste disposal facility in which it has an interest, and would severely limit its solid waste disposal options for the next 16 years. It also would violate the terms of the MOU.

For these reasons, the proposed deviation is the minimum necessary to afford relief from special circumstances or conditions of the land not of SLI's making.

4. Supplemental Findings--Steep Hillsides Development Area Regulations Alternative Compliance (SDMC section 126.0504[b]). These supplemental findings are necessary because the Sycamore Landfill project would result in impacts to steep slopes. Specifically, the project would excavate and subsequently cover approximately 191 acres of lands that have slopes greater than 25 percent.

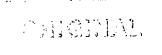
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- a. The proposed development is in conformance with the Steep Hillside Guidelines. The development program addressed in the MND environmental analysis is based upon a conceptual landfill design approved by the City of San Diego prior to the existence of the current Steep Hillside Guidelines. CUP No. 6066 PC Amendment 1, adopted by the City of San Diego in 1974, provided that the landfill site be expanded to 493 acres, the present site size. Under the landfill design that was part of that CUP amendment, the Sycamore Landfill was approved to fill most of Little Sycamore Canyon. Subsequently, the current Staged Development Plan was prepared and approved by the LEA and the State of California in 1994. No new impacts to steep slopes beyond those already approved by the City would occur as a result of City approval of continued development and operation of this landfill.
- b. The proposed development conforms to the applicable land use plan. The proposed site is designated for landfill use in the Community Plan. Please see the detailed discussion regarding development conformance with the Plan under Finding A.1.
- c. Strict application of the steep hillside development area regulations would result in conflicts with other City regulations, policies, or plans. The landfill was approved by the City of San Diego for Sycamore Landfill in 1974 in CUP Amendment No. 6066-PC-Amendment 1, and strict adherence to steep hillside regulations would conflict with this prior plan approval.

In addition, if Sycamore Landfill, Inc. is not allowed to excavate and fill the steep slopes areas within the landfill property, as approved by the City in 1974, the result would be the loss of many years of planned County-wide solid waste disposal capacity, as projected in the City-approved CIWMP, and the need to find, select, permit and develop one or more additional landfills years earlier than anticipated by local solid waste planners.

In 1997, the City of San Diego entered into a MOU with Allied Waste Industries to give the City the sole right to purchase Sycamore Landfill from Allied at any time during the subsequent twenty years. One clause of that MOU states that "During the Term of the Landfill Development Agreement (20 years), the parties will agree to cooperate in all aspects of the future development and operation of the Sycamore Canyon Landfill. The parties recognize that all such future development and operation of the Sycamore Canyon Landfill shall seek to preserve the maximum disposal capacity for future City use." The City's only landfill, Miramar Landfill, may close as early as 2008. If the City does not allow excavation and filling of the steep slope areas within Little Sycamore Canyon, in accordance with the 1974 CUP Amendment, it would adversely affect the capacity of a solid waste disposal facility in which it has an interest, and would severely limit its solid waste disposal options for the next sixteen years, and would violate the terms of the MOU.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.



BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Planned Development Permit/Site Development Permit/MHPA Boundary

Adjustment No. 40-0765 is granted to Sycamore Landfill, Inc., Owner/Permittee, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

Вy

Mary Jo Wanzafame

Deputy City Attorney

MJL:cl:pev

6/14/02

Or.Dept:Clerk

R-2002-1446

Form=permitr.frm

Reviewed by Vicky Gallagher

Passed and adopted by the Council of San Diego on April 11, 2002 by the following ATTACHMENT 14 vote: YEAS: PETERS, WEAR, ATKINS, STEVENS, MAIENSCHEIN, FRYE, MADAFFER, INZUNZA, MAYOR MURPHY NAY: NONE VACANT: NONE NOT PRESENT: NONE **AUTHENTICATED BY:** DICK MURPHY Mayor of The City of San Diego, California CHARLES G. ABDELNOUR City Clerk of The City of San Diego, California (SEAL) By: Esther Ramos, Deputy I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. R-296298 , passed and adopted by the Council of The City of San Diego, California on April 11, 2002. CHARLES G. ABDELNOUR City Clerk of The City of San Diego, California (SEAL)

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Page 1 of 5

CONDITIONAL USE PERMIT NO. 83-0789 PLANNING COMMISSION

This Conditional Use Permit AMENDMENT TO CUP NO. 6066, 6066-PC/AMENDMENT 1, and CUP NO. 6066/AMENDMENT 2 is granted by the Planning Commission of The City of San Diego to the County of San Diego, Department of Public Works, Solid Waste Division, Owner, and Central Plants, Inc. a California Corporation, Permittee, for and Electric Generating Plant-Methane Recovery System to be an additional use to an existing land fill operation, under the conditions in Section 101.0506 of the Municipal Code of The City of San Diego.

- 1. Permission is granted to Owner and Permittee to operate and maintain an electrical generating plant-methane gas recovery system located northerly of Mission Gorge Road in the Elliott Community, described as Lots 4 and 9, resubdivision of Partition of Fanita Rancho, Map No. 1703, in the R-1-40 Zone.
- 2. The facility shall consist of the following:
 - a. Electrical generating plant-methane gas recovery system; and
 - b. Accessory uses as may be determined incidental and approved by the Planning Director.
- 3. The electrical generating plant-methane recovery system shall be constructed on native soil, rather than land fill area because of potential settling problems.
- 4. Provisions shall be made for the protection of the electrical generating plant-methane recovery system from migrating gas, and the result of the danger of explosion.
- 5. All equipment for the electrical generating-methane recovery system fueled by landfill gas and installed by Central Plants, Inc. at this location shall not emit more than following quantities of air contaminates:
 - a. Oxides of mitrogen 22 pounds per hour;
 - b. Carbon Monexide 36 pounds per hour; and,
 - c. Non methane hydrocarbon 10 pounds per hour.

Actual emission level shall be determined by the San Diego Pollution Control District. In the event the above emission levels are exceeded, Central Plants, Inc. shall expeditiously take corrective steps as necessary to eliminate such excess. In addition, Central Plants, Inc. agrees to comply with San Diego Air Pollution Control District Rule 20.3.

CUP No. 83-0789

Page 2 of 5

- 6. The noise level from the proposed electrical generating plant-methane recovery system at the Sycamore land fill property line shall not exceed levels to be approved by the City's Noise Abatement Officer in accordance with the rate requirements of the City Noise Ordinance (Section 59.5.0401).
- 7. Geologics/soils testing and analysis will be conducted by a registered Civil Engineer in compliance with requirements of the City Engineer. Geologics/soils measures will be implemented as part of the land development permit by the City Engineer (Section 62.0405.3).
- 8. Odors admitting from the site shall not be increased beyond existing levels. The County Air Pollution Control District (APCD) will be responsible for monitoring odors if warranted by the presence of detectable levels. In the event of increased levels enforcement action would be takened by the Air Pollution Control District based on APCD Rule 51.
- 9. Prior to the issuance of a building permit the color palette for all structures including the accessory water tank specifying earth tones or similar appropriate colors which blend with the surrounding environment shall be submitted to the Planning Director for review and approval.
- 10. The accessory water tank and its surrounding structure shall not be taller than 30 feet.
- 11. A continuous monitoring system shall be incorporated into the design of the development for the electrical generating-methane gas recovery system to detect higher than normal oxygen levels in the land fill gas collected. The system will automatically shut down the facility when the higher levels of gas are detected.
 - 12. No permit for construction or operation of any facility shall be granted nor shall any activity authorized by this permit be conducted on the premises until:
 - a. The Permittee signs and returns the permit to the Planning Department;
 - b. The Conditional Use Permit is recorded in the office of the County Recorder.

If the signed permit is not received by the Planning Department within 90 days of the Planning Commission decision or within 30 days of a City Council decision, the permit amendment shall be void.

13. Before issuance of any building permits, complete grading and building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit

CUP No. 83-0789 .

Page 3 of 5

- "A," dated August 2, 1984, on file in the office of the Planning made unless appropriate applications for amendment of this permit shall have been granted.
 - 14. All outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are located.
 - 15. Construction and operation of the approved use in this permit amendment shall comply at all times with the regulations of this or any other governmental agencies.
 - 16. After establishment of the project, the property shall not be used for any other purposes unless:
 - Authorized by the Planning Commission; or a.
 - The proposed use meets every requirement of the zone existing for the property at the time of conversion; or
 - The permit has been revoked by the City.
 - [17. This Conditional Use Permit Amendment may be revoked by the City if there is a material breach or default in any of the conditions of this permit.
 - 18. This Conditional Use Permit Amendment is a covenant running with the lands and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out.
 - 19. This Conditional Use Permit Amendment allows an additional use to the uses approved in CUP 6066-PC, CUP 6066-PC AM-1 and CUP 6066-PC AM-2. The uses and conditions in CUP 6066-PC, CUP 6066-PC AM-1 and CUP 6066-PC AM-2 remain in effect and are not changed or altered with the approval of this permit.
 - 20. The building structure will be all-metal non-combustible construction.
 - 21. Volatile fluids or chemicals will not be used or stored within the building.
 - 22. An all-weather access road, satisfactory to the Fire Department, will be maintained to the building site.
 - 23. A 500-gallon water tank with two outlets, as approved by the) Fire Department, should be provided at the site of the building.
 - 24. A brush and weed-free area, as required by the Fire Department, shall be maintained around the building site.

Passed and Adopted by the Planning Commission of The City of San Diego on August 2, 1984.



CUP No. 83-0789 (Am. to CUP No. 6066 and amendments thereto)
AUTHENTICATED SY:

Nick Osler, Senior Flanner Planning Department

Sue Blackman, Secretary to the Planning Commission

State of California,) SS. County of San Diego.) SS.

On this 13th day of August , in the year 1981, before me, Catherine L. Mayer , a Notary Public in and for said county and state, personally appeared Nick Osler, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument as Senior Planner of The City of San Diego Planning Department, and SUE BLACKMAN, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument as Secretary to the Planning Commission of The City of San Diego, and acknowledged to me that The City of San Diego executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, in the County of San Diego, State of California, the day and year in this certificate first above written.

				Name	Catherine L. Meyer
			•		(typed or printed)
NOTARY	STAMP	•	•	Signature	



OFFICIAL SEAL
CATHERINE L. MEYER
HOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
SAN DIEGO COUNTY

My Commission Expl us December 23. 1934

CUP No. 83-0789 (Am. to CUP No. 6066 and amendments thereto)
AUTHENTICATED BY:

3)

))

Nick Osler, Senior Planner Planning Department

Sue Blackman, Secretary to the Planning Commission

State of California;) SS. County of San Diego.)

On this 13th day of August , in the year 1984, before me, Catherine L. Mayer , a Notary Fublic in and for said county and state, personally appeared Nick Osler personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument as Senior Planner of The City of San Diego Planning Department, and SUE BLACKMAN, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument as Secretary to the Planning Commission of The City of San Diego, and acknowledged to me that The City of San Diego executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, in the County of San Diego, State of California, the day and year in this certificate first above written.

Name Catherine L. Meyer
(tyged or printed)
Signature



OFFICIAL SEAL
CATHERINE L. MEYER
NOTARY PUBLIC - CALIFORNIA
PRINCIPAL DESICE IN
SAN DIEGO COUNTY

My Commission Expl as December 23, 1534

#56-4270

CUP No. 83-0789

Page 5 of 5

CUP No. 83-0789 (Am. to CUP No. 6066 and amendments thereto)

ACKNOWLEDGED:

The undersigned "Owner/Permittee" by execution hereof agrees to each and every condition of this permit and promises to perform each and every obligation of Permittee hereunder.

THE COUNTY OF SAN DIEGO. DEPARTMENT OF PUBLIC WORKS SOLID WASTE DIVISION, Owner

CENTRAL PLANTS, INC. A California corporation Permittee

State of California,) County of San Diago.) SS.

On this 23nd day of AUGUST, in the year 1984 before me RUTH C. BARBOUR, a Notary Public in and for said , in the year 1989, county and state, personally appeared HAROLD E. SOLLIE personally known to me (ar proved to me on the basis of sacisfactory exidence) to be the person who executed the within instrument as president (or secretary) or on behalf of the corporation therein named, and acknowledged to me that the corporation executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, in the County of San Diego, State of California, the day and year in this centificate first above written.

OFFICIAL SEAL NOTARY PUBLIC - CAUFORINA SAN CIESTO COUNTY

State of California,) County of San Diego.) 55.

HATADY CTIND

, in the year On this , a Motary Public in and for said county and state, personality_appeared personally known to me (or proved to me on the basis of satisfactory . evidence) to be the person who executed the within instrument as president (or secretary) or on behalf of the corporation therein named, and acknowledged to me that the corporation executed it:

III WITNESS WHEREOF, I have hereunto set my hand and official seal, in the County of San Diego, State of California, the day and year in this certificate first above written.

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-	(typed	or	printed)	
Sicharura				

STATE OF CALIFORNIA

53

COUNTY OF LOS ANGELES

On _ كحوا. ٢ ، ١٩٣٧ before me, the undersigned, a Notary Public in and
for said State, personally appeared Leslie Toth known to me to be
the Decree of Excusering of the corporation that executed the within
Instrument, known to me to be the person who executed the within Instrument
on behalf of the corporation therein named, and acknowledged to me that such
corporation executed the within instrument pursuant to its by-laws or a
resolution of its board of directors. CFFICIAL SEAL OFFICIAL SEAL

WITHESS my hand and official seal.

ROBERT J. TORMEY

NOTON Public Committee

PRINCIPAL OFFICE IN

LOS ANGELES COUNTY

MY COMMISSION EXPIRES SEPTEMBER 15, 1927

Signature

PLANNING COMMISSION RESOLUTION NO. 5085

1984 SEP 17 PH 31 16 SANT EBC, CAMP.

GRANTING CONDITIONAL USE PERMIT NO. 83-0789

WHEREAS, on November 6, 1983, the Planning Commission of The City of San Diego granted Conditional Use Permit No. 6066 to THE COUNTY OF SAN DIEGO, PUBLIC WORKS DEPARTMENT, Lessee, to permit construction and operation of a sanitary fill on a site of approximately 113 acres, located northerly of Mission Gorge Road, in Camp Elliott, in the Interim R-lA zone; and

WHEREAS, on January 16, 1974, the Planning Commission granted an amendment to CUP No. 6066 to THE COUNTY OF SAN DIEGO, PUBLIC WORKS DEPARTMENT, Owner/Permittee, to permit operation, maintenance and expansion of an existing sanitary land fill on approximately 493 acres, located northerly of Mission Gorge Road, in the Elliott Community, described as a Portion of Lot 73, Rancho Mission of San Diego, and Portions of Lots 3, 4, 9 and 10, Resubdivision of Partition of Fanito Ranch, Map No. 1703, and Portion of the S.W. 1/4, Section 7, T14S, RIW, SBBM, on file in the office of the County Recorder, in the R-1-40 zone; and

WHEREAS, on September 9, 1976, the Planning Commission granted a second amendment to CUP No. 6066, which permitted the COUNTY OF SAN DIEGO DEPARTMENT OF SANITATION AND FLOOD CONTROL, Owner/ Permittee, to construct and operate a poultry waste composting site at the subject landfill; and

WHEREAS, on August 2, 1984, the Planning Commission considered Conditional Use Permit No. 83-0789 (an additional amendment. to CUP No. 6066 and amendments), pursuant to Section 101.0506 of the Municipal Code of The City of San Diego, received documentary, written and oral testimony for consideration and heard from all interested parties present at the public hearing, to permit THE COUNTY OF SAN DIEGO, DEPARTMENT OF PUBLIC WORKS, SOLID WASTE DIVISION, Owner, and CENTRAL PLANTS, INC., a California corporation, Permittee, to construct and operate an electric generating plant/methane gas recovery system on a portion of the existing landfill property, described as a Portion of Lots 4 and 9, Resubdivision of a Portion of Fanita Rancho, Map 1702; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of The City of San Diego as follows:

That the Planning Commission adopts those written findings set forth in Planning Report No. 84-363, dated July 27, 1984, and found beginning on page 3 of said report, a copy of which is attached hereto and by this reference incorporated herein; and

DOCUMENT NO 83-0789

FILED 9-12-507

PLANNING COMMISSION RESOLUTION NO. 5085 Page 2

2. That said findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 83-0789 is hereby GRANTED to Owner and Permittee in the form and with the terms and conditions set forth in the permit, a copy of which is attached hereto and made a part hereof.

Sue Blackman, Secretary to the Planning Commission

Senior Planner

Planning Department

PLANNING COMMISSION RESOLUTION NO. 5084

WHEREAS, on August 2, 1984, the Planning Commission of The City of San Diego considered Mitigated Negative Declaration No. 83-0789; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of The City of San Diego that, based on the information presented to this Commission, it is hereby certified that the information contained in Mitigated Negative Declaration No. 83-0789 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State Guidelines thereto.

Sue Blackman, Secretary to the Planning Commission

Nick Osler

Senior Planner, Planning Department

Adopted August 2, 1984 , by a vote of 6 to 0

Case No. CUP 83-0789

Page 1 of 5

CONDITIONAL USE PERMIT NO. 10-640-0

PLANNING COMMISSION

This conditional use permit is granted by the Planning Commission of The City of San Diego to THE CITY OF SAN DIEGO, a municipal corporation, and THE COUNTY OF SAN DIEGO, a California corporation, "Owners/
Permittees," under the conditions in Section 101.0506 of the Municipal Code of The City of San Diego.

- 1. Permission is granted to Owners/Permittees to construct and operate a recycling center, located on the west side of Mast Boulevard, at the entrance to the County Sycamore Canyon landfill site, described as Portion of the Resubdivision of the partition of Fanita Rancho, Map #1703, in the R-1-40 zone (proposed A-1-10 zone).
 - 2. The facility shall consist of the following:
 - a. A recycling/buy-back center for aluminum, newspaper, used oil, glass, plastic and ferrous metal;
 - b. Off-street parking;
 - c. Accessory uses as may be determined incidental and approved by the Planning Director.
 - 3. No permit for construction and operation of any facility shall be granted, nor shall any activity authorized by this permit be conducted on the premises, until:
 - a. The Permittees sign and return the permit to the Planning Department;
 - b. The conditional use permit is recorded in the office of the County Recorder.

If the signed permit is not received by the Planning Department within 90 days of the Planning Commission decision or within 30 days of a City Council decision, the permit shall be void.

- 4. No processing of collected, recycled materials shall be permitted on the site.
- 5. Before issuance of any permits, complete grading and building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated December 3, 1981, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications for amendment of this permit have been granted 10-640-0

PILED May 24, 1982

OFFICE OF THE CITY CLERK

CUP No. 10-640-0

Page 2 of 5

- 6. Before the issuance of any grading or any other permits, a complete landscape plan, including a permanent irrigation system, for total shielding of the recycling collection center and along the landfill entry road to the toll booth, shall be submitted to the Planning Commission for approval. Approved planting shall be installed before issuance of any occupancy permit for the facility. Such planting shall not be modified or altered unless this permit has been amended.
- 7. This conditional use permit must be used within 18 months after the date of City approval or the permit shall be void. An extension of time may be granted as set forth in Section 101.0506 and 101.0507 of the Municipal Code.
- 8. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.
- 9. After establishment of the project, the property shall not be used for any other purposes unless:
 - a. Authorized by the Planning Commission; or
 - The proposed use meets every requirement of the zone existing for the property at the time of conversion; or
 - c. The permit has been revoked by the City.
- 10. This conditional use permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit. A revocation may be requested by the Permittee. Revocation of this conditional use permit may be initiated by the City or the Permittee. The Planning Director shall set the revocation for a public hearing before the Planning Commission, as provided in Section 101.0506 or 101.0507. An appeal from the decision of the Planning Commission may be taken to the City Council within ten days after the decision is filed with the City Clerk. The Clerk shall set this matter for a public hearing before the City Council as provided in Section 101.0506 and 101.0507
- 11. This conditional use permit is a covenant running with the lands and shall be binding on the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out.
- 12. The hours of operation for the facility shall be limited to 7:30 A.M. until 4:30 P.M.
- 13. Lighting on site shall be directed so as not to fall on adjacent properties or street rights-of-way.



CUP No. 10-640-0

Page 3 of 5

- 14. This permit shall be subject to review by the Planning Commission six months after the facility begins operation, and again one year after the facility begins operation.
- 15. This permit shall expire on October 1, 1986, unless an extension of time has been approved prior to that date.

PASSED AND ADOPTED ON DECEMBER 3, 1981.

CUP No. 10-640-0

Page 4 of 5 ATTACHMENT 1

AUTHENTICATED BY:

Nick Osler, Senior Planner Planning Department

Sue Blackman, Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.

On this This day of Commission of The City of San Diego Planning Commission of The City of San Diego Planning Commission of The City of San Diego Planning Commission of The City of San Diego, and known to me to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, in the County of San Diego, State of California, the day and year in this certificate first above written.

NOTARY STAMP

Notary Public in and for the County of San Diego, State of California

OFFICIAL SEAL

CATHERINE L MEYER

NOTABLE PUBLIC - CALIFORNIA 5

PRINCIPAL OFFICE IN

SAN DIEGO COUNTY

My Commission Expl. es. December 23, 1934

Page 5 of 5

ATTACHMENT 12



ACKNOWLEDGED: 7

The undersigned "Owner/Permittee" by execution hereof agrees to each and every condition of this permit and promises to perform each and every obligation of Permittee hereunder.

THE CITY OF SAN DIEGO, WATER UTILITIES DEPARTMENT A municipal corporation ''Owner/Permittee'' THE COUNTY OF SAN DIEGO, a California corporation

STATE OF CALIFORNIA) COUNTY OF SAN DIEGO) ss.

On April 27, 1982 , before me, the undersigned, a Notary Public in and for said State, personally appeared John Lockwood known to me to be the Asst. City Manager of the corporation that executed the within instrument, known to me to be the person who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its bylaws or a resolution of its Board of Directors.

WITNESS my hand and official seal.

Rita Andrews

(typed or printed)

RITA AMORENOJARY SEAL

Aly Commission Expires August 9, 1933

STATE OF CALIFORNIA) UNTY OF SAN DIEGO)

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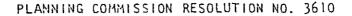
On this 3rd day of May, in the year 1982, before me, Robert D. Zumwalt, County Clerk and ex-officio Clerk of the Superior Court in and for said County, which is a court of record having a seal, personally appeared John S. Burke, Deputy County Engineer of the County of San Diego and known to me to be the person who executed the within instrument on behalf of said public corporation, agency or political subdivision, and acknowledged to me that such public corporation, agency, or political subdivision executed the same.

TOWNSS my hand and official seal.

iature by

J. F. MEYERS, JR





GRANTING CONDITIONAL USE PERMIT NO. 10-640-0

WHEREAS, THE CITY OF SAN DIEGO, WATER UTILITIES DEPARTMENT, a municipal corporation, and THE COUNTY OF SAN DIEGO, a California corporation, "Owners/Permittees," filed an application for a conditional use permit to lease property to a private operator for operation of a recycling center for newspapers, glass, plastic, aluminum and ferrous metal to be deposited in bins on site, and used oil to be deposited in an underground tank on site, with materials to be removed twice weekly and an average daily use of approximately 200 persons, located on the west side of Mast Boulevard, at the entrance to the Sycamore Canyon landfill, described as a Portion of the Resubdivision of the partition of Fanita Rancho, Nap #1703, in the Elliott Community Plan, and the R-1-40 (proposed A-1-1) zone; and

WHEREAS, on December 3, 1981, the Planning Commission of The City of San Diego considered Conditional Use Permit No. 10-640-0, pursuant to Section 101.0506 of the Municipal Code of The City of San Diego, and received for its consideration documentary, written and oral testimony and heard from all interested parties present at the public hearing; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of The City of San Diego that the following findings are hereby adopted as the findings of the Planning Commission:

- 1. The proposed use will not adversely affect the neighborhood, the General Plan and will not be detrimental to the health, safety and general welfare of persons residing in the area. The proposed use as a recycling center would be consistent with the General Plan designation of open space and the designation of the Mission Trails Regional Park.
- 2. The proposed use for a limited period would comply with all the relevant regulations in the Municipal Code. Section 101.0506 of the Municipal Code, Paragraph Al5, grants the Planning Commission authority under conditions to approve scrap metal processing and salvaging facilities by a conditional use permit.

BE IT FURTHER RESOLVED that said findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference; and

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 10-640-0 is hereby GRANTED to Owner and Permittee in the form and with the terms and conditions set forth in Conditional Use Permit No. 10-640-0, a copy of which is attached hereto and made a part hereof.

Sue Blackman, Secretary to the Planning Commission

1974 MAY - 1 PM 81 58

CONDITIONAL USE PERMIT - PLANNING COMMISSEON DESCRIPTION CASE NO. 6066-PC/AMENDMENT

This Conditional Use Permit Amendment is granted by the City Planning Commission of The City of San Diego to THE COUNTY OF SAN DIEGO, PUBLIC WORKS DEPARTMENT, "Owner/Permittee", for the purposes and under the terms and on the conditions as set out herein pursuant to the authority contained in Section 101,0506 et sequitur of the Municipal Code of The City of San Diego.

- 1. Permission is hereby granted to "Owner/Permittee" to operate, maintain and expand an existing sanitary fill on approximately 493 acres, located northerly of Mission Gorge Road in the Elliott Community, more particularly described as portion of Lot 73, Rancho Mission of San Diego and portions of Lots 3, 4, 9 and 10, Resubdivision of Partition of Fanita Ranch, Map No. 1703, and portion of the S.W. 1/4, Section 7, TISS, RIW, SBBM, on file in the office of the County Recorder in the R-1-40 zone.
- 2. The sanitary fill shall include, and the term "Project" as used in this Conditional Use permit shall mean the total of the following facilities:
 - a. Solid waste landfill site.
 - b. Landscaping.
 - c. Incidental accessory uses as may be determined and approved by the Planning Director.
- 3. That prior to the issuance of any building permits and/or start of operations, a complete grading plan shall be submitted to the Planning Director for approval. Said plan shall be in substantial conformity with Exhibit "A" on file in the office of the Planning Department and the property shall be developed in accordance with said Grading Plan, except where regulation of other governmental agencies require deviation therefrom.
- 4. That material disposed on any portion of the site shall be restricted to the following:

Type 3 material: Solid inert waste such as fill dirt, concrete and asphalt paving fragments, ceramics, etc.

Type 2 material: Household and commercial refuse and rubbish such as empty tin cans, metals, paper and paper products, cloth and clothing, wood and wood products, lawn clippings, roofing paper or tar paper, etc.

- 5. That liquid and soluble industrial wastes shall be excluded from the site.
- 6. That adequate provisions small be made to prevent surface flooding of the site by means of water from outside the site.
- 7. That burning shall not be permitted on the site.
- 8. That water shall be provided for control of dust and hot materials.

- 9. That the operation shall be managed in such a manner as to prevent odors, dust, and fumes outside the disposal site.
- 10. That a fence shall be so constructed as to be capable of preventing the dispersion of paper and other materials from littering the surrounding area, with a lockable gate provided.
- 11. That the operation of the facility shall be limited to the hours between 7:00 A.M. and darkness.
- 12. That any flood lighting employed on the subject property shall be directed away from adjoining properties at all times.
- 13. That prior to use, access road and plant operating area roads be oiled, paved or otherwise dust-proofed and so maintained as the Air Pollution Control Officer of San Diego County may require to control the creation of dust.
- 14. That dust control methods be applied to any dust-producing condition which may develop and result in a nuisance from this operation, as may be determined by the Air Pollution Control Officer.
- 15. That, prior to final approval of a building permit, the property shall be provided with faciltiies approved by the San Diego Department of Public Health, as follows:
 - a. A potable water supply.
 - b. Proper sanitary facilities, including toilet, handwashing facilities for employees working on the premises. These facilities shall be installed in conformance with the laws applicable thereto.
 - 16. Any ponds or surface waters shall be maintained in such manner as to prevent the development of a pest nuisance.
 - 17. That the construction and operation of the proposed use shall comply at all times with the regulations and requirements of this and other governmental agencies.
 - 18. This permit shall be subject to review of operations and all conditions by the Planning Commission of the City of San Diego every five years.
 - 19. The Permittee shall comply with the General Conditions for Conditional Use Permits attached hereto and made a part hereof.

Passed and adopted by the Pianning Commission of The City of San Diego on January 16, 1974.

ACKNOWLEDGED:



The undersigned "Owner/Permittee" by execution hereof agrees to each and every condition of this permit and promises to perform each and every obligation of Permittee hereunder.

		,	••
		COUNTY OF SAN DIEGO, PUBL "Owner/Permittee"	IC WORKS DEPARTMENT,
	Approved by the Board of Supervisors of the County of San Diego	A 0	rans
	MAR 26 1974 # 40	7	
	Porter S, Cremans	Clerk of the Board	of Supervisors
· ·	Clerk of the Board of Supervisors	APPROVED AS TROSERT G. BEF County Counsel	REY
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	STATE OF CALIFORNIA) 55.	Deput	goons
))	On this day of a Notary Public in and for	, 19 , be said County and State, personally	afore me, the undersigned, y appeared
		, known to me	to be
	within instrument and ackno	of The County of San Die to be the person(s) whose name(s wledged that they executed the sa	s) is subscribed to the eme.
	IN WITNESS WHEREOF, I have of San Diego, State of Cali above written.	hereunto set my hand and official fornia, the day and year in this	I seal, in the County certificate first
	IFORNIA) ss.		
SUNA . Count	ty of San Diego, personally a	in the year 19 7, before the Clerk of the Superior Court appeared PORTER B. CREPANS, know upervisors of said County, and k	n nown
	the person who executed the acknowledged to me that such	-MITHIN INSTITUTE OF DEFINITION	3010
		SE OSUNA, County Clerk and officio Clerk of the Superior Co	‱ urt :

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AUTHENTICATED BY:

F. K. Knostman, Senior Planner
Planning Department

Mary M. Bagaloff, Secretary of the Planning Commission

Mary M. Bagal

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)ss.

City of San Diego Planning Department, and MARY M. BAGALOFF, known to me to be the Secretary of the Planning Commission of The City of San Diego and known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, in the County of San Diego, State of California, the day and year in this certificate first above written.

ROTH E. REAUSINA PARTIES AND DISCO COUNTY

My Commission Erries May 23, 1977

Notary Public in and for the County of San Diego, State of California

NOTARY STAMP

- 1. Prior to the issuance of any building permits, complete building plans (including signs) shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity with Exhibit "A" (dated <u>January 16, 1974</u>), on file in the office of the Planning Department. The property shall be developed in accordance with the approved building plans except where regulations of this or other governmental agencies require deviation therefrom. Prior to and subsequent to the completion of the project, no changes, modifications or alterations shall be made unless and until appropriate applications for amendment of this permit shall have been approved and granted.
- 2. Prior to the issuance of any building permits, a complete landscaping plan, including a permanent watering system, shall be submitted to the Planning Director for approval. Said plans shall be in substantial conformity with Exhibit "A" (dated <u>January 16, 1974</u>), on file in the office of the Planning Department. Approved planting shall be installed prior to the issuance of an occupancy permit on any building. Such planting shall not be modified or altered unless and until this permit shall have been amended to permit such modification or alteration.
- 3. All outdoor lighting shall be so shaded and adjusted that the light therefrom is directed to fall only on the same premises where such light sources are located.
- 4. This conditional use permit granted by the City shall be utilized within 18 months after the effective date thereof. Failure to utilize the conditional use permit within an 18-month period will automatically void the same. This conditional use permit shall be subject to all of the terms and conditions granted herein and pursuant to the terms set forth in Section 101.0506 or 101.0507 and 101.0508 of the Municipal Code. See the latter referenced sections as those terms and conditions apply hereto.
- 5. Construction and operation of the approved use shall comply at all times with the regulations of this or other governmental agencies.
- 6. This conditional use permit shall not be final until the eleventh day following its filing in the office of the City Clerk and is subject to appeal to the City Council as provided for in Section 101.0506 of the Municipal Code of The City of San Diego.
- 7. The effectiveness of this conditional use permit is expressly conditioned upon, and the same shall not become effective for any purpose unless and until the following events shall have occurred:
 - a. Permittee shall have agreed to each and every condition hereof by having this conditional use permit signed within 90 days of the Commission's decision. In no event shall this condition be construed to extend the time limitation set forth in 4 above; i.e., the time commences to run on the date that the Planning Commission granted this conditional use permit.
 - b. This conditional use permit executed as indicated shall have been recorded in the office of the County Recorder.
- 8. After the establishment of the project as provided herein, the subject property shall not be used for any other purposes unless specifically authorized by the Planning Commission, unless the proposed use meets every requirement of zone existing for the subject property at the time of conversion.

- 9. The project included within this conditional use permit shall be used only for the purposes and under the terms and conditions as set forth in this permit unless the permit shall have been revoked by The City of San Diego.
- 10. In addition to any other remedy provided by law, any breach in any of the terms or conditions of this permit or any default on the part of the Permittee or its successors in interest, shall be deemed a material breach hereof and this conditional use permit may be cancelled or revoked. Cancellation or revocation of this conditional use permit may be instituted by the City or permittee. The Planning Director shall set this matter for public hearing before the Planning Commission giving the same notice as provided in Section 101.0506. An appeal from the decision of the Planning Commission may be taken to the City Council within 10 days after the decision is filed with the City Clerk. The Clerk shall set the matter for public hearing before the City Council giving the same notice as provided in Section 101.0506.
- II. This conditional use permit shall inure to the benefit of and shall constitute a covenant running with the lands, and the terms, conditions and provisions hereof shall be binding upon Permittee, and any successor or successors thereto, and the interests of any successor shall be subject to each and every condition herein set out.

FINDINGS OF FACT

SAM DIEGO. ISTAMBY - | IN 80 58 OF TOWAL USE-PERHIT NO. 6066-PC/AMENDMENT PLANNING COMMISSION

WHEREAS STREECOUNTY OF SAN DIEGO, PUBLIC WORKS DEPARTMENT, "Owner/Permittee", filed an application, for a Conditional Use Permit to operate, maintain and expand an existing sanitary fill on approximately 493 acros, located northerly of Mission Gorge Road in . the Elliott Community, more particularly described as portion of Lot 73, Rancho Mission of San Diego and portions of Lots 3, 4, 9 and 10, Resubdivision of Partition of Familia Ranch, Hap No. 1703, and portion of the S.W. 1/4; Section 7, T14S, RiW, SBEM, on file in the Office of the County Recorder, in the R-1-40 zone.

WHEREAS, the Planning Commission of The City of San Diego considered Conditional Use Permit No. 6066-PC/Amendment pursuant to Section 101.0506 et seguitur of the Municipal Code of The City of San Diego and granted a Conditional Use Permit under date of January 16, 1974, and filed the same in the Office of the City Clerk on February 6 1974 to "Owner/Permittee" to operate, maintain and expand an existing senitary fill on approximately 493 acres, subject to terms and conditions as set out in said Conditional Use Permit: and

WHEREAS, the Planning Commission, in reaching the decision reflected in this resolution, has considered County Environmental Impact Report No. 556401 filed in the office of the County Recorder; NOW, THEREFORE,

BE IT RESOLVED, by the Planning Commission of The City of San Diego, as follows:

That all of the following facts exist with respect to the issuance of a Conditional Use Permit in favor of "Owner/Permittee":

- 1. That the proposed use at the particular location is necessary to provide a service or facility which will contribute to the general well-being of the neighborhood or the community.
- 2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing in the vicinity, or injurious to property or improvements in the vicinity.
- That the proposed use will comply with the regulations and conditions specified in the Code for such use.
- 4. That the granting of this Conditional Use Permit will not adversaly affect the adopted Elliott Community Plan, the Master Plan of the City or the adopted plan of any governmental agency.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference; and

BE IT FURTHER RESOLVED, by the Planning Commission that County Environmental Impact Report No. \$56401 is adopted as the final report covering the subject project; and

BE IT FURTHER RESOLVED, that the Planning Commission does hereby grant to "Owner/Parmittee" a Conditional Use Parmit in the form and with the terms and conditions as set Worth in Conditional Use Permit No. 6066-PC/Amendment, attached hereto and made a part nereof.

Maryort, obegaloff, Sacratary of the

Planning/Commission

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CONDITIONAL USE PERMIT - CASE NO. 6066

WHEREAS, Conditional Use Permit application No. 22417 has been considered by the Planning Commission of the City of San Diego, California, and the Planning Commission has conducted a public hearing on this request of THE COUNTY OF SAN DIEGO, PUBLIC WORKS DEPARTMENT, lessee, to construct and operate a sanitary fill on an approximate 113 acre site located northerly of Mission Gorge Road in Camp Elliott, in the Interim R-1A zone; and

WHEREAS, the Planning Commission has made the following Findings of Fact in relation thereto:

- 1. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community because the proposed use will provide a facility for the disposal of refuse from existing and future residential and commercial developments in the area.
- 2. That such use under the circumstances of the particular case will not be detrimental to health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity because conditions imposed herein insure it will not be detrimental.
- 3. That the proposed use will comply with the regulations and conditions specified in the Municipal Code for such use because the conditions imposed herein insure compliance.
- 4. That the granting of this conditional use will not adversely affect the Master Plan of the City or the adopted plan of any governmental agency because : the adopted Master Plan for the Elliott Community proposes this use for the subject property.

NOW, THEREFORE, BE IT RESOLVED By the City Planning Commission of San Diego, California, that permission is hereby granted to THE COUNTY OF SAN DIEGO, PUBLIC WORKS DEPARTMENT, lessee, to construct and operate a sanitary fill as above-stated, in the location above-mentioned, under the following conditions:

l. That prior to the issuance of any building permits and/or start of operations, a complete Grading Plan shall be submitted to the Planning Director for approval. Said plan shall be in substantial conformity with Exhibit "A" on file in the office of the Planning Department and the property shall be developed in accordance with said Grading Plan, except where regulation of other governmental agencies require deviation therefrom.

2. That material disposed on any portion of the site shall be restricted to the following:

Type 3 material: Solid inert waste such as fill dirt, concrete and asphalt

paving fragments, ceramics, etc.

Type 2 material: Household and commercial refuse and rubbish such as empty

tin cans, metals, paper and paper products, cloth and clothing, wood and wood products, lawn clippings, roofing

paper or tar paper, etc.

3. That liquid and soluble industrial wastes shall be excluded from the site.

- 4. That adequate provisions shall be made to prevent surface flooding of the site by means of water from outside the site.
 - 5. That burning shall not be permitted on the site.
 - 6. That water shall be provided for control of dust and hot materials.
- 7. That the operation shall be managed in such a manner as to prevent odors, dust, and fumes outside the disposal site.
- 8. That a fence shall be so constructed as to be capable of preventing the dispersion of paper and other materials from littering the surrounding area, with lockable gate provided.
 - 9. That the operation of the facility shall be limited to the hours between 7:00 A.M. and darkness.
 - 10. That any flood lighting employed on the subject property shall be directed away from adjoining properties at all times.
 - 11. That prior to use, access road and plant operating area roads be oiled, paved or otherwise dust-proofed and so maintained as the Air Pollution Control Officer of San Diego County may require to control the creation of dust.
 - 12. That dust control methods be applied to any dust-producing condition which may develop and result in a nuisance from this operation, as may be determined by the Air Pollution Control Officer.
 - 13. That, prior to final approval of a building permit, the property shall be provided with facilities approved by the San Diego Department of Public Health, as follows:
 - (a) A potable water supply.
 - (b) Proper sanitary facilities, including toilet, handwashing facilities for employees working on the premises. These facilities shall be installed in conformance with the laws applicable thereto.

- 14. Any ponds or surface waters shall be maintained in such manner as to prevent the development of a pest nuisance.
 - 15. That the construction and operation of the proposed use shall comply at all times with the regulations and requirements of this and other governmental agencies.

That permission granted by this Conditional Use Permit shall become effective and final on the eleventh day after it is filed in the office of the City Clerk, unless a written appeal is filed within ten (10) days after such filing in the office of the City Clerk.

Any conditional use permit, or extension of time, granted by the City shall be null and void, and shall be revoked automatically six (6) months after its effective date, unless the use and/or construction permitted is commenced before said time expires, in accordance with Municipal Code Section 101.0506.

CITY PLANNING COMMISSION City of San Diego, California

Ву

Head, Rezoning Section

DATED: November 6, 1963

FILED IN OFFICE OF CITY CLERK

NOV 8 1963

Right of Appeal Expires 10 Days After Above Date



CONDITIONAL USE PERMIT

(The following lettered paragraphs correspond to the lettered paragraphs on the application blank.)

A Fill out all questions and sign the application furnishing all requested information.

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C-If the property described in this petition is not an entire lot in a subdivision, give date THIS PARTICULAR PARCEL was first recorded by deed.

D-The answer to this question will usually be found in the title insurance policy which you received when you purchased your property. The section in the policy referring to restrictions usually contains the numbers of the books and pages where the restrictions are set out in full in the County Recorder's Office. It is necessary that you read the restrictions yourself in order to answer the question.

E-State exactly what is intended to be done on or with this property.

F-In asking for a Conditional Use Permit, the petitioner is asking the City to set aside the zone ordinance and to permit a different use to be made of his property. In order to justify the granting of the conditional use permit, the following FACTS must be established.

- 1. (a) That the particular location and use is reasonable in the neighborhood or community.
 - (b) That the proposed use is necessary or desirable.
 - (c) That the proposed use will contribute to the general well-being (health, recreation, education, safety, convenience, welfare, etc.) of the neighborhood or community.
- 2. That the proposed use, under the existing conditions, and under restrictions to be imposed by both the owner and the City-
 - (a) will not be detrimental to health, safety or general welfare of anyone in the area, and
 - (b) will not be injurious to property or improvements in the vicinity, either existing or uses permitted by existing zoning.
- 3. Submit plans and details to show that the proposed use and/or buildings will comply in all respects with City ordinances and State laws.
- 4. Does the proposed use conflict with the Master Plan of the City or the adopted plan of any governmental agency, such as zoning, community, major street, park and recreation, airport and other plans of the City Engineer, the Water Department, State Highway Department, etc.

THE FOLLOWING GENF

It is always advisable to c owners, not renters. The ful will be their sign

A lot plan and a legal descr Ist be att

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00001.	ATTACHWENT
	Application No. 22417
e 6/20/63 Page	Case No. 6066
	CONDITIONAL USE
TO THE PLANNING COMMISSION TO THE ZONING ADMINISTRATOR San Diego, California	
A-Applicant County of San Diego	
	(Owner's Name)
Property Location Northerly of Mission	Gorge Road in Camp Elliott (Street Address)
betweenStree	t andStreet.
Exact Legal Description (Lot, Block and Subdivision) Fanita Rancho Resub., Lots 4 and 9	of said property being
· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·
Above property is in Zone Interim R-lA	
-	permits
-Above described property was acquired by Application	ant on July 26, 1963 (Month, Day, Year)
-Date that above PORTION was first recorded by de-	edSeptember 16, 1963
·	aprovements permitted, if any, were placed on the property
involved? Give date said restrictions expire	
That, for a period of 20 years, expiring Ju except for health purposes.	Ty 20, 1903, no use be made of the property
and the partition of th	
TO DECITE The Applicant requests that you appro	ove the location on the above described property of the

To construct and operate a sanitary fill on an approximately 113 acre site.

F-NOTICE TO THE APPLICANT:

following USE:

THE LAW REQUIRES THAT ALE TRAPHS MUST BE ESTABLISHUST PROVE THAT YOU

1. That the proposed use will contribute to form the proposed of the gentle property of the